



# भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित  
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No. 39] NEW DELHI, SATURDAY, SEPTEMBER 25, 1965/ASVINA 3, 1887

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed  
as a separate compilation

## नोटिस

## NOTICE

नीचे लिखे भारत का असाधारण राजपत्र १४ सितम्बर, १९६५ तक प्रकाशित किये गये।

The undermentioned Gazettes of India Extraordinary were published upto the 14th September, 1965 :—

Issue No.	No. and Date	Issued by	Subject
215.	S.O. 2856, dated 8th September, 1965.	Ministry of Labour & Employment.	Prohibiting the continuance of the strike in connection with the dispute between the Secretary, Shipping Employers Federation, Visakhapatnam and other companies and their workmen.
	S.O. 2857, dated 8th September, 1965.	Do.	Referring the dispute between the Secretary, Shipping Employers Federation, Visakhapatnam and other companies and their workmen for adjudication to the Industrial Tribunal, Hyderabad.
216.	S.O. 2858, dated 9th September, 1965.	Ministry of Finance.	Fixing the rate of premium payable in respect of the quarter ending on the 30th September, 1965 regarding policies under the Emergency Risks (Goods) Insurance Scheme.

Issue No.	No. and Date	Issued by	Subject.
	S.O. 2859, dated 9th September, 1965.	Ministry of Finance	Fixation of the rate of premium regarding the policies under the Emergency Risks (Factories) Insurance Scheme.
217.	S.O. 2860, dated 10th September, 1965.	Ministry of Transport.	Delegation of powers under the Indian Ports Act, 1908 to the Portress Commander and the Naval Officer-in-Charge at each of the places in respect of the Ports as specified in the Table therein.
218.	S.O. 2861, dated 13th September, 1965.	Ministry of Information and Broadcasting.	Approval of the films as specified therein.
219.	S.O. 2862, dated 14th September, 1965.	Ministry of Railways.	Appointing Shri Bhola Nath Sarma, District and Sessions Judge, Jorhat as Claims Commissioner in respect of the Railway Accident involving 3-Up Mail between Seleng Hat and Amguri Stations.
एस० प्रो० 2863, दिनांक 14 सितम्बर, 1965	रेल मंत्रालय	श्री भोला नाथ शर्मा, जिला और सेशन जज, जोरहट को 3-अप मेल की सेलेंगहाट और आमगुड़ी स्टेशन के बीच हुई दुर्घटना से सम्बन्धित अश-कालिक दावा प्रायुक्त किया गया है।	
220.	S.O. 2910, dated 14th September, 1965.	Ministry of Transport.	Ordering that no merchant ships of any foreign country shall leave any place or part in India at which it may be, except with the permission granted by the Detaining Officers as listed in the Schedule therein.

ऊपर लिखे असाधारण राजपत्रों की प्रतियाँ प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के नाम मांगपत्र भेजने पर भेज दी जाएंगी। मांगपत्र प्रबन्धक के पास इन राजपत्रों के जारी होने की तारीख से 10 दिन के भीतर पहुँच जाने चाहिए।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

**PART II—Section 3—Sub-section (II)**

(रक्षामंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर) केन्द्रीय प्राधिकारियों द्वारा जारी किए गए विधिक आदेश और अधिसूचनाएं।

**Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).**

**MINISTRY OF HOME AFFAIRS**

*New Delhi, the 17th September 1965*

**S.O. 2924.**—In exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President, with the consent of the Government of Madras, hereby entrusts also to all the Civil Authorities appointed under sub-paragraph (2) of paragraph 2 of the Foreigners Order, 1948, under the Government of Madras, within their respective jurisdictions, the functions of the Central Government with regard to the making of orders of the nature specified in sub-clauses (iii) and (iv) of clause (c) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946), subject to the following conditions, namely:—

- (a) that in the exercise of such functions the said Civil Authorities shall comply with such general or special directions as the Govt. of Madras or the Central Government may, from time to time, issue; and
- (b) that, notwithstanding this entrustment, the Central Government may itself exercise any of the said functions should it deem fit to do so in any case.

[No. 1/49/65-F.III.]

FATEH SINGH, Jt. Secy.

**CORRIGENDUM**

*New Delhi, the 15th September 1965*

**S.O. 2925.**—In column 4 against S. No. 13 under Statistical Department in this Ministry notification of even number dated the 4th February, 1964, please read Rs. 200—10—300 for Rs. 210—10—300.

[No. F. 2/57/63-(MT)HMT.]

Y. D. SEHGAL, Under Secy.

**MINISTRY OF EXTERNAL AFFAIRS**

*New Delhi, the 9th September 1965*

**S.O. 2926.**—In pursuance of Clause (a) of section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 the Central Government hereby authorises Shri R. P. S. Jeswal Assistant in the Consulate General of India, Muscat to perform the duties of a Consular Agent with effect from 3rd May, 1965 until further orders.

[No. T. 4330/1/65.]

S. K. CHATTERJEE, Under Secy.

**MINISTRY OF FINANCE**

**(Department of Economic Affairs)**

*New Delhi, the 15th September 1965*

**S.O. 2927.**—In exercise of the powers conferred by section 6 of the Indian Coinage Act, 1906 (3 of 1906), the Central Government hereby determines that

coins of the denomination of 1 paise shall also be coined at the Mint for issue under the authority of the Central Government and that such coins shall conform to the following dimension, design and composition, namely:—

- (i) Dimension: Square with rounded corner and unmilled rim, the distance between opposite corners being 17 millimetres and across flats 14.70 millimetres;
- (ii) Design: Obverse: This face of the coin shall bear the Lion Capital of the Asoka Pillar with the words "ए" in Hindi and "India" in English inscribed thereon;
- Reverse: This face of the coin shall bear the value of the coin in international numeral with the words "पैसा" in Hindi and "Paissa" in English inscribed thereon. In addition it shall also bear the year of coinage below the numeral.
- (iii) Metal composition: Aluminium with 3.5 per cent to 4 per cent magnesium.

2. This notification shall come into force on the 1st day of October, 1965.

[No. F. 2(32)-C&C/64(i).]

**S.O. 2928.**—In exercise of the powers conferred by sub-section (1) of section 21 read with section 7 of the Indian Coinage Act, 1906 (3 of 1906), the Central Government hereby makes the following rule, namely:—

The standard weight of the coins of the denomination of 1 paise in aluminium magnesium alloy to be coined under the provisions of section 6 of the said Act shall be 0.75 gramme and the remedy allowed in the making of such coins shall not exceed 1/40th in weight.

2. This notification shall come into force on the 1st day of October, 1965.

[No. F.2(32)-C&C/64(ii).]

R. K. GANGULY, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 17th September 1965

S O. 2929.—Statement of the Affairs of the Reserve Bank of India as on the 10th September 1965

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up	5,00,00,000	Notes	16,30,72,000
		Rupee Coin	4,48,000
Reserve Fund	80,00,00,000	Small Coin	2,94,000
National Agricultural Credit (Long Term Operations) Fund	100,00,00,000	Bills Purchased and Discounted:—	
		(a) Internal	
		(b) External	
		(c) Government Treasury Bills	164,32,73,000
National Agricultural Credit (Stabilisation) Fund	10,00,00,000	Balances held Abroad*	16,13,71,000
National Industrial Credit (Long Term Operations) Fund	15,00,00,000	Investments**	153,54,22,000
		Loans and Advances to:—	
		(i) Central Government	
		(ii) State Governments &	67,08,00,000

Liabilities	Rs.	Assets	Rs.
Deposits—		Loans and Advances to :—	
(a) Government :—		(i) Scheduled Banks†	21,48,60,000
(i) Central Government . . . . .	109,54,56,000	(ii) State Co-operative Banks††	156,56,97,000
(ii) State Governments . . . . .	11,15,85,000	(iii) Others	3,82,26,000
(b) Banks :		Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund—	
(i) Scheduled Banks . . . . .	97,72,85,000	(a) Loans and Advances to :—	
(ii) State Co-operative Banks . . . . .	2,48,33,000	(i) State Governments . . . . .	30,02,92,000
(iii) Other Banks . . . . .	3,89,000	(ii) State Co-operative Banks . . . . .	13,53,75,000
(c) Others . . . . .	190,27,76,000	(iii) Central Land Mortgage Banks . . . . .	..
Bills payable . . . . .	28,46,91,000	(b) Investment in Central Land Mortgage Bank Debentures	5,34,13,000
Other Liabilities . . . . .	34,10,68,000	Loans and Advances from National Agricultural Credit (Stabilisation) Fund—	
		Loans and Advances to State Co-operative Banks . . . . .	..
		Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund—	
		(a) Loans and Advances to the Development Bank . . . . .	2,17,34,000
		(b) Investment in bonds/debentures issued by the Development Bank . . . . .	..
		Other Assets . . . . .	33,44,06,000
Rupees	683,80,83,000	Rupees	683,80,83,000

\*Includes Cash and Short-term Securities.

\*\*Excluding investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@ Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. Nil advanced to scheduled banks against usance bills under section 17(4)(c) of the R. B. I. Act.

††Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 15th day of September 1965.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 10th day of September, 1965

ISSUE DEPARTMENT

LIABILITIES		Rs.	Rs.	ASSETS		Rs.	Rs.
Notes held in the Banking Department				Gold Coin and Bullion :—			
Notes in circulation				(a) Held in India		133,75,66,000	
		16,30,72,000		(b) Held outside India			
		2591,95,39,000		Foreign Securities		68,35,13,000	
Total Notes issued			2608,26,11,000	TOTAL			202,10,79,000
				Rupee Coin			101,42,92,000
				Government of India Rupee Securities			2304,72,40,000
				Internal Bills of Exchange and other commercial paper			
TOTAL LIABILITIES			2608,26,11,000	TOTAL ASSETS			2608,26,11,000

Dated the 15th day of September, 1965.

P. C. BHATTACHARYYA,  
Governor.

[No. F. 3(2)-BC/65.]  
R.K. SESHADRI  
Director (Banking)

**CENTRAL BOARD OF DIRECT TAXES****CORRIGENDUM***New Delhi, the 14th September 1965*

**S.O. 2930.**—In the Board's Notification No. 62 dated the 20th July, 1965 published in Part II Section 3(ii) of the Gazette of India as S.O. 2357 dated the 31st July, 1965 for the words "shall take effect from 26th July, 1965" appearing in last line of the notification read "shall take effect from 9th August, 1965".

[No. 91 (F. No. 50/67/65-ITJ.)]

P. G. GANDHI, Under Secy.

**MINISTRY OF STEEL AND MINES****(Department of Mines and Metals)***New Delhi, the 10th September 1965*

**S.O. 2931.**—Whereas in pursuance of the notification of the Government of India in the late Ministry of Mines and Fuel, No. S.O. 2761 dated the 20th September, 1963, made under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired,

- (i) lands measuring 93.25 acres in villages Samsikhra Dhandabar, Dhobni, Gopinathdih, Parasias and Garbuhdih, and
- (ii) the rights of mine, quarry, bore, dig and search for, win, work and carry away minerals in lands measuring 1405.25 acres in villages, Parasias, Garbuhdih, Manidi, Samsikhra, Panderkanali, Chirudi, Dhandabar, Dhobni, Gopinathdih, Chakphutaha, Rajasbera, Sabaldih and Phutaha,

in the District of Dhanbad;

And whereas Shri Sona Ram Gope, son of Rangu Gope, the interested person has, under section 13 of the said Act, preferred his claim to the competent authority for payment of compensation for the said acquisition;

And whereas S/Shri Hemant Kumar Mukhopadhaya and Mikhayakar Mukhopadhaya have also preferred a claim to the competent authority for payment of compensation for the acquisition of the said lands and rights, and have disputed the claim of Shri Sona Ram Gope son of Shri Rangu Gope, to receive the compensation;

And whereas the amount of the compensation payable for the said acquisition could not be fixed by agreement;

Now therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby constitutes a Tribunal consisting of Shri R. P. Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the interested person

[No. C2-20(7)/63]

**S.O. 2932.**—Whereas in pursuance of the notification of the Government of India in the late Ministry of Mines and Fuel, No. S.O. 2761 dated the 20th September, 1963, made under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired,

- (i) lands measuring 193.25 acres in villages Samsikhra Dhandabar, Dhobni, Gopinathdih, Parasias and Garbuhdih, and
- (ii) the rights of mine, quarry, bore, dig and search for, win, work and carry away minerals in lands measuring 1405.25 acres in villages, Parasias, Garbuhdih, Manidi, Samsikhra, Panderkanali, Chirudi, Dhandabar, Dhobni, Gopinathdih, Chakphutaha, Rajasbera, Sabaldih and Phutaha,

in the District of Dhanbad;

And whereas Shri Hemant Kumar Mukhopadhaya son of Shri Mikhayakar Mukhopadhaya, the interested person has, under section 13 of the said Act, preferred his claim to the competent authority for payment of compensation for the said acquisition;



And whereas Shr Sona Ram son of Shri Rangu Gope has also preferred a claim to the competent authority for payment of compensation for the acquisition of the said lands and rights, and has disputed the claim of Shri Heinant Kumar Mukhopadhaya son of Shri Mikhayakar Mukhopadhaya, to receive the compensation;

And whereas the amount of the compensation payable for the said acquisition could not be fixed by agreement;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby constitutes a Tribunal constituting of Shri R. P. Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the interested person.

[No. C2-20(7)/63.]

**S.O. 2933.**—Whereas in pursuance of the notification of the Government of India in the late Ministry of Mines and Fuel, No. S.O. 2761 dated the 20th September, 1963, made under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired,

- (i) lands measuring 193.25 acres in villages Samsikhra Dhandabar, Dhobni, Gopinathdih, Parasia and Garbuhdih, and
- (ii) the rights of mine, quarry, bore, dig and search for, win, work and carry away minerals in lands measuring 1405.25 acres in villages Parasia, Garbhudih, Manidi, Samsikhra, Panderkanali, Ghirudi, Dhandabar, Dhobni, Gopinathdih, Chakphutaha, Rajasbera, Sabaldih and Phutaha,

in the District of Dhanbad;

And whereas S/Shri Baneshwar Mahto and Maheshwar Mahto sons of Shri Nagar Mahto, the interested persons have under section 13 of the said Act, preferred their claims to the competent authority for payment of compensation for the said acquisition;

And whereas S/Shri Kanhai Mahto, Mukund Mahto, Kashinath Mahto sons of Khudi Mahto, Budhan Mahto son of Krishto Mahto have also preferred a claim to the competent authority for payment of compensation for the acquisition of the said lands and rights, and have disputed the claim of S/Shri Baneshwar Mahto and Maheshwar Mahto sons of Shri Nagar Mahto, to receive the compensation;

And whereas the amount of the compensation payable for the said acquisition could not be fixed by agreement;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby constitutes a Tribunal consisting of Shri R. P. Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the interested person.

[No. C2-20(7)/63.]

**S.O. 2934.**—Whereas in pursuance of the notification of the Government of India in the late Ministry of Mines and Fuel, No. S.O. 2761 dated the 20th September, 1963, made under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Govt. has acquired,

- (i) lands measuring 193.25 acres in villages Samsikhra, Dhandabar, Dhobni, Gopinathdih, Parasia and Garbuhdih, and
- (ii) the rights of mine, quarry, bore, dig and search for, win, work and carry away minerals in lands measuring 1405.25 acres in villages, Parasia, Garbhudih, Manidi, Samsikhra, Panderkanali, Chirudi, Dhandabar, Dhobni, Gopinathdih, Chakphutaha, Rajasbera, Saba'din and Phutaha,

in the District of Dhanbad;

And whereas S/Shri Kanhai Mahto, Mukund Mahto and Kashinath Mahto sons of Khudu Mahto, the interested persons have, under section 13 of the said Act, preferred their claims to the competent authority for payment of compensation for the said acquisition;

And whereas Shri Baneshwar Mahto and Maheshwar Mahto sons of Nagar Mahto have also preferred a claim to the competent authority for payment of compensation for the acquisition of the said lands and rights, and have disputed the claims of Shri Kanhai Mahto, Mukund Mahto and Kashinath Mahto sons of Khudu Mahto, to receive the compensation;

And whereas the amount of the compensation payable for the said acquisition could not be fixed by agreement;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby constitutes a Tribunal consisting of Shri R. P. Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the interested person.

[No. C2-20(7)/63.]

**S.O. 2935.**—Whereas in pursuance of the notification of the Government of India in the late Ministry of Mines and Fuel, No. S.O. 2761 dated the 20th September, 1963, made under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired,

- (i) lands measuring 193.25 acres in villages Samsikhra Dhandabar, Dhobni, Gopinathdih, Parasia and Garbuhdih, and
- (ii) the rights of mine, quarry, bore, dig and search for, win, work and carry away minerals in lands measuring 1405.25 acres in villages, Parasia, Garbuhdih, Manidi, Samsikhra, Panderkanali, Chirudi, Dhandabar, Dhobni, Gopinathdih, Chakphutaha, Rajasbera, Sabaldih and Phutaha,

in the District of Dhanbad;

And whereas S/Shri Panchanand Pandey son of Sashi Bhusan Pandey, Madan Pandey and Helu Pandey son of Kisto Pandey the interested person has, under section 13 of the said Act, preferred his claim to the competent authority for payment of compensation for the said acquisition;

And whereas Shri Arjun Singh has also preferred a claim to the competent authority for payment of compensation for the acquisition of the said lands and rights, and has disputed the claim of Shri Panchanand Pandey son of Shashi Bhusan Pandey, Madan Pandey and Helu sons of Kisto Pandey to receive the compensation;

And whereas the amount of the compensation payable for the said acquisition could not be fixed by agreement;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 the Central Government hereby constitutes a Tribunal consisting of Shri R. P. Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the interested person.

[No. C2-20(7)/63.]

**S.O. 2936.**—Whereas in pursuance of the notification of the Government of India in the late Ministry of Mines and Fuel, No. S.O. 2761 dated the 20th September, 1963, made under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired,

- (i) lands measuring 193.25 acres in villages Samsikhra Dhandabar, Dhobni, Gopinathdih, Parasia and Garbuhdih, and
- (ii) the rights of mine, quarry, bore, dig and search for, win, work and carry away minerals in lands measuring 1405.25 acres in villages, Parasia, Garbuhdih, Manidi, Samsikhra, Panderkanali, Chirudi, Dhandabar, Dhobni, Gopinathdih, Chakphutaha, Rajasbera, Sabaldih and Phutaha,

in the District of Dhanbad;

And whereas Shri Chhutu Mahto son of Haldar Mahto, the interested person has, under section 13 of the said Act, preferred his claim to the competent authority for payment of compensation for the said acquisition;

And whereas S/Shri Mehandi Gope, Dukhu Gope, Jadu Gope Smt. Bhumni Goalin wife of Mahli Gope, Zila Bhudan Karyalaya, Dhanbad. Parbati Goalin wife of Gokhul Gope, Bhim Mahto have also preferred a claim to the competent authority for payment of compensation for the acquisition of the said lands and rights and have disputed the claim of Shri Chhutu Mahto s/o Haldar Mahto to receive the compensation;

And whereas the amount of the compensation payable for the said acquisition could not be fixed by agreement;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby constitutes a Tribunal consisting of Shri R. P. Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the interested person.

[No. C2-20(7)/63.]

**S.O. 2937.**—Whereas in pursuance of the notification of the Government of India in the late Ministry of Mines and Fuel, No. S.O. 2761 dated the 20th September, 1963, made under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired,

- (i) lands measuring 193.25 acres in villages Samsikhra Dhandabar, Dhobni, Gopinathdih, Parasia and Garbuhdih, and
- (ii) the rights of mine, quarry, bore, dig and search for, win, work and carry minerals in lands measuring 1405.25 acres in villages, Parasia, Garbuhdih, Manidi, Samsikhra, Panderkanali, Chirudi, Dhandabar, Dhobni, Gopinathdih, Chakphutaha, Rajasbera, Sabaldih and Phutaha,

in the District of Dhanbad;

And whereas S/Shri Durga Charan Alias Gobardhan Rai and Gauri Rai s/o Sibbo Rai, the interested person have, under section 13 of the said Act, preferred their claims to the competent authority for payment of compensation for the said acquisition;

And whereas Zila Bhudan Karyalay, Dhanbad has also preferred a claim to the competent authority for payment of compensation for the acquisition of the said lands and rights, and has disputed the claim of Shri Durga Charan Alias Gobardhan Rai and Gauri Rai sons of Sibbo Rai, to receive the compensation;

And whereas the amount of the compensation payable for the said acquisition could not be fixed by agreement;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby constitutes a Tribunal consisting of Shri R. P. Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the interested person.

[No. C2-20(7)/63.]

**S.O. 2938.**—Whereas in pursuance of the notification of the Government of India in the late Ministry of Mines and Fuel, No. S.O. 2761 dated the 20th September, 1963, made under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired,

- (i) lands measuring 193.25 acres in villages Samsikhra Dhandabar, Dhobni, Gopinathdih, Parasia and Garbuhdih, and
- (ii) the rights of mine, quarry, bore, dig and search for, win, work and carry away minerals in lands measuring 1405.25 acres in villages, Parasia, Garbuhdih, Manidi, Samsikhra, Panderkanali, Chirudi, Dhandabar, Dhobni, Gopinathdih, Chakphutaha, Rajasbera, Sabaldih and Phutaha,

in the District of Dhanbad;

And whereas Shri Hemant Kumar Mukhopadhyaya son of Bhikhakar Mukhopadhyay, the interested person has, under section 13 of the said Act, preferred his claim to the competent authority for payment of compensation for the said acquisition;

And whereas Shri Sona Ram Gope son of Shri Ranga Gope has also preferred a claim to the competent authority for payment of compensation for the acquisition of the said lands and rights, and has disputed the claim of Shri Hemant Kumar Mukho Padhaya son of Shri Bhikhakar Mukhopadhyay, to receive the compensation;

And whereas the amount of the compensation payable for the said acquisition could not be fixed by agreement;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby constitutes a Tribunal consisting of Shri R. P. Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the interested person.

[No. C2-20(7)/63.]

**S.O. 2939.**—Whereas in pursuance of the notification of the Government of India in the late Ministry of Mines and Fuel, No. S.O. 2761 dated the 20th September, 1963, made under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired,

- (i) lands measuring 193.25 acres in villages Samsikhra Dhandabar, Dhobni, Gopinathdih, Parasia and Garbuhdih, and
- (ii) the rights of mine, quarry, bore, dig and search for, win, work and carry away minerals in lands measuring 1405.25 acres in villages, Parasia, Garbhudjh, Manidi, Samsikhra, Panderkanali, Chirudi, Dhandabar, Dhobni, Gopinathdih, Chakphutaha, Rajasbera, Sabaldih and Phutaha,

in the District of Dhanbad;

And whereas S/Shri Mehendi Gope, Dhuku Gope and Jadu Gope sons of Ganauri Gope, the interested persons have, under section 13 of the said Act, preferred their claims to the competent authority for payment of compensation for the said acquisition;

And whereas Smt. Bhumni Goalin w/o Mohali Gope, and Hari Gope, Gopal Gope sons of Hublal Gope, have also preferred a claim to the competent authority for payment of compensation for the acquisition of the said lands and rights, and have disputed the claim of Shri Mehendi Gope, Dhukhu Gope and Jadu Gope sons of Ganauri Gope, to receive the compensation;

And whereas the amount of the compensation payable for the said acquisition could not be fixed by agreement;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby constitutes a Tribunal consisting of Shri R. P. Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the interested person.

[No. C2-20(7)/63.]

**S.O. 2940.**—Whereas in pursuance of the notification of the Government of India in the late Ministry of Mines and Fuel, No. S.O. 2761 dated the 20th September, 1963, made under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired,

- (i) lands measuring 193.25 acres in villages Samsikhra Dhandabar, Dhobni, Gopinathdih, Parasia and Garbhudjh, and
- (ii) the rights of mine, quarry, bore, dig and search for, win, work and carry away minerals in lands measuring 1405.25 acres in villages, Parasia, Garbhudjh, Manidi, Samsikhra, Panderkanali, Chirudi, Dhandabar, Dhobni, Gopinathdih, Chakphutaha, Rajasbera, Sabaldih and Phutaha,

in the District of Dhanbad;

And whereas Zila Bhudan Karyalaya, Dhanbad, the interested person has, under section 13 of the said Act, preferred his claim to the competent authority for payment of compensation for the said acquisition;

And whereas S/Shri Chhutu Mahto son of Haldar Mahto Durgacharan Alias Gobardhan Rai and Gauri Rai son of Sibui Rai, Government of Bihar, through the

Deputy Commissioner, Dhanbad have also preferred a claim to the competent authority for payment of compensation for the acquisition of the said lands and rights, and have disputed the claim of Shri Zila Bhudan Karyalaya, Dhanbad, to receive the compensation;

And whereas the amount of the compensation payable for the said acquisition could not be fixed by agreement;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby constitutes a Tribunal consisting of Shri R. P. Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the interested person.

[No. C2-20(7)/63.]

*New Delhi, the 13th September 1965*

**S.O. 2941.**—Whereas in pursuance of the notification of the Government of India in the late Ministry of Mines and Fuel, No. S.O. 2761 dated the 20th September, 1963 made under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired,

- (i) lands measuring 193.25 acres in villages Samsikhra Dhandabar, Dhobni, Gopinathdih, Parasia and Garbuhdih, and
- (ii) the rights of mine, quarry, bore, dig and search for, win, work and carry away minerals in lands measuring 1405.25 acres in villages, Parasia, Garbuhdih, Manidi, Samsikhra, Panderkanali, Chirudi, Dhandabar, Dhobni, Gopinathdih, Chakphutaha, Rajasbera, Sabaldih and Phutaha,

in the District of Dhanbad;

And whereas Shri Guhilal Pandey son of Jai Lal Pandey, the interested person has, under section 13 of the said Act, preferred his claim to the competent authority for payment of compensation for the said acquisition;

And whereas Shri Khedan Kumar has also preferred a claim to the competent authority for payment of compensation for the acquisition of the said lands and rights and has disputed the claim of Shri Guhilal Pandey son of Jai Lal Pandey, to receive the compensation;

And whereas the amount of the compensation payable for the said acquisition could not be fixed by agreement;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby constitutes a Tribunal consisting of Shri R. P. Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the interested person.

[No. C2-20(7)/63.]

**S.O. 2942.**—Whereas in pursuance of the notification of the Government of India in the late Ministry of Mines and Fuel, No. S.O. 2761 dated the 20th September, 1963, made under section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government has acquired,

- (i) lands measuring 193.25 acres in villages Samsikhra Dhandabar, Dhobni, Gopinathdih, Parasia and Garbuhdih, and
- (ii) the rights of mine, quarry, bore, dig and search for, win, work and carry away minerals in lands measuring 1405.25 acres in villages, Parasia, Garbuhdih, Manidi, Samsikhra, Panderkanali, Chirudi, Dhandabar, Dhobni, Gopinathdih, Chakphutaha, Rajasbera, Sabaldih and Phutaha,

in the District of Dhanbad;

And whereas Shri Budhan Mahto son of Kristo Mahto the interested person has, under section 13 of the said Act, preferred his claim to the competent authority for payment of compensation for the said acquisition;

And whereas S/Shri Baneshwar Mahto, Maheshwar Mahto sons of Naga Mahto have also preferred a claim to the competent authority for payment of compensation for the acquisition of the said lands and rights, and have disputed the claim of Shri Budhan Mahto son of Kristo Mahto to receive the compensation;

And whereas the amount of the compensation payable for the said acquisition could not be fixed by agreement;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 14 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby constitutes a Tribunal consisting of Shri R. P. Sinha, Additional Judicial Commissioner, Ranchi, for the purpose of determining the amount of compensation payable to the interested person.

[No. C2-20(7)/63.]

*New Delhi, the 14th September 1965*

**S.O. 2943.**—Whereas by the notification of the Government of India in the late Ministry of Mines and Fuel, S.O. No. 2981 dated the 19th September, 1962, under Sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in 1056 acres of lands in the locality specified in the Schedule appended to that notification;

And whereas by the notification of the Government of India in the Ministry of Steel and Mines (Department of Mines and Metals) S.O. 2606 dated the 22nd July, 1964 under sub-section (1) of section 7 of the said Act, notice was issued specifying further period of one year commencing from the 19th September, 1964, as the period within which the Central Government may give notice of its intention to acquire the lands specified therein or any rights in or over such lands;

And whereas the Central Government is satisfied that coal is obtainable in 1056 acres or 427.68 hectares of lands out of the said lands;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby gives notice of its intention to acquire the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 1056 acres (Approximately) or 427.68 Hectares (Approximately) described in the Schedule appended hereto;

**NOTE 1.**—The plan of the areas covered by this notification may be inspected in the Office of the Deputy Commissioner, Hazaribagh (Bihar) or in the Office of the Coal Controller, 1-Council House Street, Calcutta or in the Office of the National Coal Development Corporation Limited (Revenue Section) Darbhanga House, Ranchi.

**NOTE 2.**—Attention is hereby invited to the provision in section 8 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, which provides as follows:—

- 8(1) "Any person interested in any land in respect of which a notification under section 7 has been issued may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or of any rights in or over such land.

*Explanation.*—It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.

- (2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, submit the case for the decision of the Central Government together with the record of the proceedings held by him and a report containing his recommendations on the objections.
- (3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act."

It may be noted that the Coal Controller, 1-Council House Street, Calcutta-1, has been appointed by the Central Government as the competent authority under the Act.

## SCHEDULE

Drg. No. Rev/41/65

Block—Gobindpur Extension

Dated 1-9-65

## BOKARO COALFIELD

(showing lands where rights to mine, quarry, bore, dig and search for, win work and carry away minerals are to be acquired)

## 'Mining Rights'

Serial Number	Village	Thana	Thana Number	District	Area	Remarks
I.	Gobindpur	Nawadih (Berma)	15	Hazaribagh	1056 acres	Part
Total area : 1056 acres (Approximately)						
OR 42768 Hectares (Approximately)						

*Plot numbers to be acquired in Village Gobindpur:*

648 (P), 682(P), 694(P), 695(P), 696, 698, 699, 700, 701, 702, 703(P), 704(P), 705, 706, 707, 708, 709(P), 710(P), 711(P), 748 (P), 932(P), 934(P), 935(P), 936, 937, 938(P), 939(P), 940(P), 974(P), 975(P), 977(P), 980(P), 981(P), 2418(P), 2419(P), 2433(P), 2434(P), 2435(P), 2436 to 2441, 2442(P), 2443(P), 2454(P), 2455(P), 2456(P), 2457(P), 2459(P), 2460(P), 2461(P), 2462(P), 2463(P), 2464(P), 2465(P), 2471(P), 2472(P), 2473, 2474(P), 2475 to 2483, 2485(P), 2486(P), 2487(P), 2490(P), 2493, 2494(P), 2495 to 2532, 2533(P), 2534 to 2577, 2578(P), 2579(P), 2580(P), 2582(P), 2591(P), 2592 (P), 2593, 2594, 2595(P), 2597(P), 2600(P), 2673(P), 2674, 2675(P), 2676(P), 2680(P), 2681(P), 2682 to 2691, 2692(P), 2698, 2699, 2701 to 2762, 2765(P), 2766(P), 2767(P), 2768 and 2769(P).

*Boundary Description.*

A—B line passes along the part common boundary of villages Gobindpur and Pilpilo and meets at point 'B'

B—C line Passes through plot Nos. 2766, 2767, 2765, along the Northern boundary of, plot No. 2496, through plot Nos. 2490, 2494, 2485, 2487, 2486, 2765, 2481, 2765, 2474, 2471, 2765, 2463, 2464, 2465, 682, 694, 695, 940, 939, 938, 974, 975, 977, 980, 981, 648 in village Gobindpur and meets at point 'C'.

C—D line passes through plot numbers 648, 981, 932, 934, 935, 703, 704, 711, 710, 711, 748, 709, 2459, 2461, 2460, 2461, 2457, 2456, 2455, 2454, 2462, 2442, 2443, 2434, 2435, 2433, 2462, 2419, 2418, 2533, 2600, 2582, 2580, 2579, 2578, 2591, 2592, 2595, 2600, 2597, 2600, in village Gobindpur and meets at point 'D' (which also forms part common boundary with Jarandih North Block).

D—E Line passes through plot nos. 2600, 2681, 2680, 2600, 2676, 2600, 2675, 2600, 2673, 2692, 2765, 2692, 2765, 2767, 2769, 2767, in village Gobindpur and meet at point 'E' (which is also forms part common boundary with Block-II, East Bokaro coalfield notified U/S 7).

E—A line passes along the part common boundary of villages Gobindpur and Etmoo common boundary of villages Gobindpur and Kurpandia and meets at point 'A'.

[No. C2-20(24)/62.]

**S.O. 2944.**—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

**NOTE.**—The plan of the area covered by this notification can be inspected at the Office of the National Coal Development Corporation Ltd. (Revenue Section), Darbhanga House, Ranchi or at the Office of the Collector, Surguja, M.P. or at the office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the lands mentioned in the said Schedule shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Office of the National Coal Development Corporation Ltd., Darbhanga House, Ranchi, within 90 days from the date of publication of this notification.

## SCHEDULE

Drg. No. Rev/27/65

Bhaskarpara Block  
(Jhilimili coalfield)

Dated 13-5-1965

Sl. No.	Village	Thana or Tahsil	Thana No.	District Area	Remarks
1	Karri	Jhilimili	23	Surguja	Part
2	Dharseni	"	25	"	"
3	Danaulikhurd	"	40	"	"
4	Khanrapara	"	41	"	"
5	Baskarpara	"	42	"	"
6	Barsara	"	43	"	"
7	Kurridih	"	62	"	"
8	Kewara	"	63	"	"

Total area : 3875.00 acres (Approximately)  
OR 1569.38 Hectares (Approximately)

*Boundary Description :*

A—B line passes through Village Karri and meets at point 'B'.

B—C line passes along the part Southern boundary of Villages Karri and Dharseni i.e., along the part Northern boundary of Katkora Block Acquired U/s. 9(i) of Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S. O. 1251 dated 27-4-1963 and meets at point 'C'.

C—D line passes along the part Southern boundary of Village Dharseni and along part western boundary of Village Barsara and meets at point 'D'.

D—E line passes along the part Common boundary of Village Barsara and Kherd and meets at point 'E'.

E—F—G—H—I—J lines pass through Villages Barsara and Baskarpara and meet at point 'J'.

J—K line passes along the part Common boundary of Villages Baskarpara and Kurridih and meets at point 'K'.

K—L—M lines pass through Villages Kurridih, Kewara and Danauli Khurd and meet at point 'M'.

M—N—O—P—Q—A—lines pass through villages Danaulikhurd, Khanrapara, Dharseni and Karri and meet at point 'A'.

[No. C-2-22(3)/65.]

RAM SAHAY, Under Secy.

## MINISTRY OF PETROLEUM AND CHEMICALS

New Delhi, the 15th September 1965

**S.O. 2945.**—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 1832, dated the 31st May, 1965 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And, whereas, the Competent Authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;



And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that Section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

# SCHEDULE

State : West Bengal

Dist: Burdwan

Thana : Asansol

Village	Survey nos. (Plot nos.)	Extent (Area)	Village	Survey nos. (Plot nos.)	Extent (Area)
Ganrui, J.L. 3	376	·22		1420	·05
	377	·42		1421	·05
	379	·04		1460	·02
	380	·08		1463	·09
	1376	·14		1464	·05
	1378	·16		1489	·16
	1379	·03		1587	·11
	1381	·18		1588	·005
	1382	·03		1593	·10
	1385	·02		1637	·03
	1394	·01		1707	·06
	1395	·06		1708	·03
	1396	·16		1733	·14
	1418	·08		1748	·03
	1419	·03			

[No. 31(33)/63-ONG-Vol. 5.]

S.O. 2946.—Whereas by notifications of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 1831, dated the 29th May, 1965 and S.O. No. 2052, dated the 29th June, 1965 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedules appended to those notifications for the purpose of laying pipeline;

And, whereas, the Competent Authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that Section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

## SCHEDULE

State : WEST BENGAL

Dist. : HOOGHLY

Thana : DHANIAKHALI

Village	Survey nos. (Plot nos.)	Extent (Area)	Village	Survey nos. (Plot nos.)	Extent (Area)
Naopara, J.L. 193	857 858 859 860 862 864 865 1064	·005 ·05 ·10 ·05 ·14 ·005 ·05 ·06		966 967 982 995 996 1006 1007 1012 1017 1040 1045	·35 ·01 ·24 ·01 ·02 ·22 ·02 ·09 ·10 ·12 ·20
Kanulbanka, J.L. 197	1029 1060 1069 1379	·56 ·36 ·005 ·12			
2	320 322 336	·02 ·03 ·10	Mandra, J.L. 77	284 386 391 392 394 395 405 406 408 411 412 413 458 836 837 848 849 1054 1055 1071 1074 1081 1082 1083 1084 1085 1086 1087 1088	·29 ·12 ·04 ·02 ·05 ·01 ·04 ·08 ·04 ·05 ·12 ·02 ·02 ·12 ·10 ·08 ·06 ·01 ·11 ·25 ·18 ·01 ·04 ·005 ·01 ·07 ·05 ·005
	472 473 754 755 756 757 758 761 764 765 767 775 777 778 779 780 888 1111 1121 1123 1125 1132 2737 2738 2739 2747 2749	·12 ·02 ·04 ·08 ·11 ·09 ·16 ·02 ·08 ·28 ·005 ·03 ·10 ·03 ·07 ·08 ·13 ·005 ·09 ·04 ·06 ·05 ·02 ·02 ·05 ·02 ·02 ·03	Dakshin Mogalpur, J.L. 76	460 461 479 480 481 482 483 484 485 486	·18 ·06 ·03 ·36 ·05 ·005 ·05 ·10 ·05 ·16
Dakshin Abhirampur, J.L. 78	817 818 820 937 938 945 946 947 950 951 965	·005 ·12 ·04 ·005 ·16 ·10 ·03 ·01 ·01 ·37 ·03	Uttar Moghalpur J.L. 180	88	·01
			Rudrani, J.L. 189	597 1718	·01 ·01

**MINISTRY OF EDUCATION****ARCHAEOLOGY**

*New Delhi, the 14th September 1965*

**S.O. 2947.**—Whereas by notification of the Government of India in the Ministry of Education No. F.5-83/64-C.1, dated the 29th May, 1965, published in Part II, Section 3, sub-section (ii) of the Gazette of India dated the 5th June, 1965, the Central Government gave notice of its intention to declare the archaeological site and remains specified in the schedule hereto annexed to be of national importance;

And whereas no objections have been received to the making of such declaration;

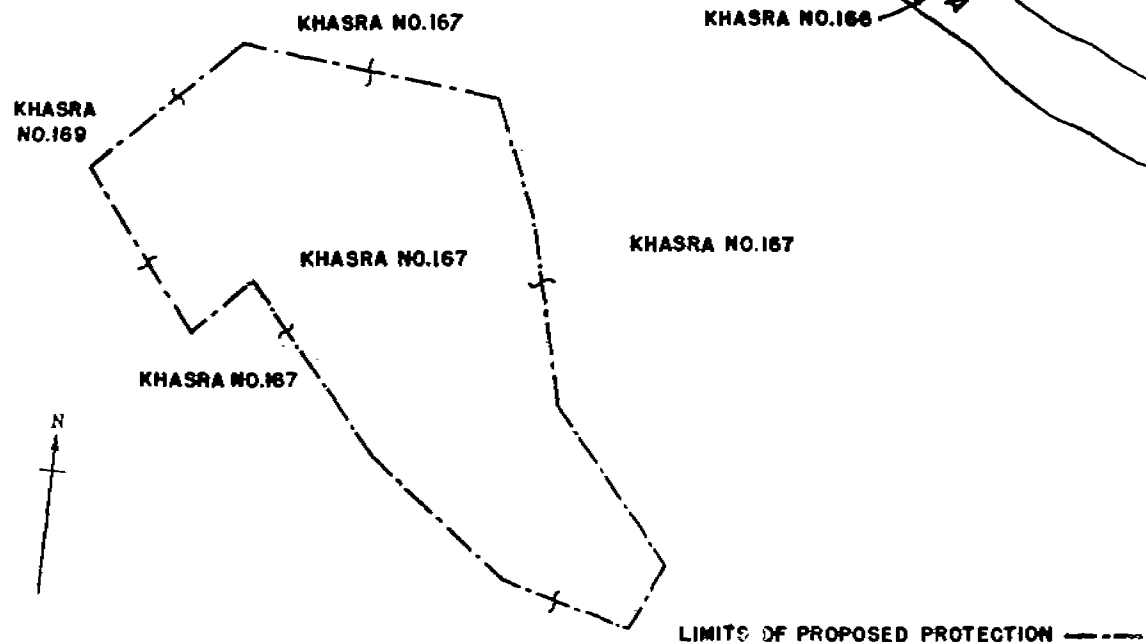
Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said archaeological site and remains to be of national importance.

## THE SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of the site	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Delhi	Delhi	Delhi	Jamia Nagar]	Mound known as Jagai-Bai comprised in part of survey plot No. 167 as shown in the plan reproduced below.	Part of survey plot No. 167 as shown in the plan reproduced below.	5 Bighas and 9 Biswas.	<i>North:</i> Remaining portion of survey plot No. 167. <i>East:</i> Remaining portion of survey plot No. 167. <i>South:</i> Remaining portion of survey plot No. 167. <i>West :</i> Remaining portion of survey plot No. 167 and survey plot No. 169.	Shamlat Deh.	

# SITE PLAN OF JAGA BAI MOUND AT JAMIA NAGAR

10 0 10 20 METRES 50 0 50 FEET



[No. F.5-83/64-C.1.]

SHARDA RAO (Mr)  
Assistant Educational Adviser

**MINISTRY OF HEALTH***New Delhi, the 14th September 1965*

**S.O. 2948.**—In exercise of the powers conferred by clause (p) of sub-section (1) of section 6 of the Indian Posts Act, 1908 (15 of 1908), the Central Government hereby makes the following rules further to amend the Indian Port Health Rules, 1955, the same having been previously published as required by sub-section (2) of section 6 of the said Act, namely:—

1. These Rules may be called the Indian Port Health (Amendment) Rules, 1965.

2. In the Indian Port Health Rules, 1955, in sub-rule (2) of rule 57, in clause (li) of the Note, for the words "and Visakhapatnam", the words "Visakhapatnam and Mandapam Camp/Dhanushkodi" shall be substituted.

[No. F. 33-1/64-IH.]

AMAR NATH VARMA, Under Secy.

**ORDER***New Delhi, the 18th September 1965*

**S.O. 2949.**—Whereas the Government of India in the Ministry of Health has, by notification No. 16-9/59-MI, dated the 1st April, 1960, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification M.D. granted by the University of California for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of two years with effect from the date of this order or so long as Dr. (Mrs.) Ruth Hase Matsuura who possesses the said qualification continues to work with the United Presbyterian Church in the United States of America Commission on Ecumenical Mission and Relations, Dehra Dun, to which she is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. (Mrs.) Ruth Hase Matsuura shall be limited.

[No. F.18-40/65-MPT.]

R. MURTHI, Under Secy.

**MINISTRY OF REHABILITATION****(Office of the Chief Settlement Commissioner)***New Delhi, the 14th September 1965*

**S.O. 2950.**—In exercise of the powers conferred on me by Sub-Section (2) of Section 34 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), I hereby delegate to Shri N. P. Jaisinghani, Settlement Commissioner, with immediate effect the following powers of the Chief Settlement Commissioner in cases of Shri Chejurnal S/o Shri Phundanmal and Smt. Gambibai Widow of Shri Mathromal bearing Index Nos. S/LK-2/RG/95/280 and S/LK-RG/95/174 respectively.

1. Power to hear appeals under Section 23 of the said Act.

2. Power to hear revisions under Section 24 of the said Act.

[No. 5(6)62/ARG.]

G. D. KSHETRAPAL,  
Chief Settlement Commissioner.**(Office of the Chief Settlement Commissioner)***New Delhi, the 17th September 1965*

**S.O. 2951.**—In exercise of the powers conferred by Sub-Section (I) of Section 3 of the Displaced Persons (Claims) Supplementary Act, 1954 (No. 12 of 1954), the Central Government hereby appoints Shri K. L. Wason, Competent

Officer, Delhi, as Additional Settlement Commissioner for the purpose of performing the functions assigned to such officer by or under the said Act with immediate effect.

[No. 13(4)AGZ/65]

KANWAR BAHADUR,

Settlement Commissioner (A) and  
ex-officio Dy. Secy.

(Office of the Chief Settlement Commissioner)

ORDER

New Delhi, the 13th September 1965

**S.O. 2952.**—In pursuance of rule 76A of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, the Central Government hereby makes the following Order to amend the Order published with the notification of the Government of India in the late Ministry of Works, Housing and Rehabilitation (Department of Rehabilitation) No. S.O. 530, dated the 3rd February, 1964, namely:—

In the said Order, after condition (iii), the following Note shall be inserted, namely:—

“NOTE.—Notwithstanding anything in these conditions the transferee/purchaser of Pool Property in Delhi region, or a loanee or the person against whom any public dues are outstanding in Delhi region, shall be allowed to pay the price of the property, or as the case may be, the amount of the public dues, by adjustment if such transferee/purchaser, loanee or other person associates the claim/statement of account of the person whose compensation application form has been registered in the region of Indore or Patna.”

[No. F. 14(22)Comp. & Prop/64.]

M. J. SRIVASTAVA,

Settlement Commissioner & Ex-Officio  
Under Secy.

## DEPARTMENT OF COMMUNICATIONS

New Delhi, the 13th September. 1965

**S.O. 2953.**—In exercise of the powers conferred by sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following further amendments in the notification of the Government of India in the late Ministry of Communications No. SRO 631-B, dated the 28th February, 1957 namely:—

In the Schedule to the said notification, in Part II, under the heading “Overseas Communications Service”, and the sub-heading ‘Headquarters Office’, after item (a) and the entries relating thereto, the following item and entries shall respectively be inserted, namely:—

I	2	3	4	5
aa)	Selection Grade Chief Engineer	Chief Engineer	All	Director General
	Motor Drivers.			

[No. 3-OC(25)/65.]

T. R. MANTAN, Dy. Secy.

संसार विभाग

नई दिल्ली, 13 सितम्बर 1965

**क्रम संख्या 2954.**—केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण तथा अपील) नियमों, 1957 के नियम 11 के उपनियम (2), नियम 14 के उप-नियम (2) की धारा (ख) और नियम 23 के

उप-नियम (1) के अधीन प्राप्त अधिकारों का उपयोग करते हुए राष्ट्रपति एतद्वारा, भारत सरकार के भूतपूर्व संचार मंत्रालय की अधिसूचना क्रमांक एस० आर० प्रो० 631-बी दिनांक 28 फरवरी, 1957 में निम्नलिखित संशोधन और करते हैं :

उक्त अधिसूचना की प्रतिसूची के भाग II में शीर्षक "आंतरराष्ट्रीय कम्यूनिकेशंस सर्विस" (विदेश संचार सेवा) और उप-शीर्षक "हेडक्वार्टर्स आफिस" (मुख्यालय) के नीचे मद (क) और उससे सम्बद्ध प्रविष्टियों के बाद निम्नलिखित मद और प्रविष्टियाँ क्रमशः समाविष्ट कर दी जायेंगी :—

1	2	3	4	5
(कक) चुनाव पद- म के मांटर इंजीनियर	मुख्य इंजीनियर	मुख्य इंजीनियर	समस्त	महानिदेशक

[स० 3-प्रो सी (25)/65]

टी० आर० मण्टन,

उप-सचिव, भारत सरकार ।

(P. & T. Board)

New Delhi, the 14th September 1965

S.O. 2955.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director-General, Posts and Telegraphs, hereby specifies the 1st October, 1965 as the date on which the Measured Rate System will be introduced in Bhatinda Telephone Exchange.

[No. 31/27/65-PHB.]

(डाक-तार बोर्ड)

नई दिल्ली, 14 सितम्बर, 1965.

एस० प्रो० 2956.—स्थायी आदेश क्रम संख्या 627 दिनांक 8 मार्च, 1960 द्वारा लागू किये गए 1951 के भारतीय तार नियमों के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक भटिण्डा टेलीफोन केन्द्र में 1 अक्टूबर, 1965 से प्रमापित दर प्रणाली चालू करने का निश्चय करते हैं ।

[स० 31/27/65-पी० एच० बी०]

New Delhi, the 17th September 1965

S.O. 2957.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director-General, Posts and Telegraphs, hereby specifies the 1st November, 1965 as the date on which the Measured Rate System will be introduced in Mashobra Telephone Exchange.

[No. 31/25/65-PHB]

S. K. SEN,  
Assistant Director General (PHB).



नई दिल्ली, 17 सितम्बर, 1965

एस० ओ० 2958.—स्थायी आदेश क्रमसंख्या 627 दिनांक 8 मार्च 1965 द्वारा सा. किये गए 1951 के भारत-य तार नियमों के नियम 434 के खण्ड III के पैरा (ए) के सा. ड क-तार महानिदेशक 1 नवम्बर, 1965 से मशविरा टेलीफोन के पक्ष पर नी. र करने का निश्चय करते हैं।

[क्रमसंख्या 31/25/65- पी० एच० बी०]

एस० के० सेन,

सहायक महानिदेशक (पी० एच० बी०)

# MINISTRY OF TRANSPORT

(Transport Wing)

New Delhi, the 16th September 1965

S.O. 2959.—In exercise of the powers conferred by sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following further amendment in the Schedule to the Notification of the Government of India in the Ministry of Transport No. S.R.O. 610, dated the 28th February, 1957, namely:—

In the Schedule to the said Notification,—

- (a) in part II, under the heading "Department of Lighthouses and Lightships", after item 2B and the entries relating thereto, the following items and entries shall be inserted, namely:—

1	2	3	4	5
2C.	Posts in the Office of the Director of Light-houses & Lightships, Panjim, Goa.	Director of Lighthouses and Lightships, Panjim, Goa.	Director of Lighthouses and Lightships, Panjim, Goa.	All Director General of Lighthouses and Lightships.

- (b) in part III, under the heading "Department of Lighthouses and Lightships", after item 2B and the entries relating thereto, the following items and entries shall be inserted, namely:—

1	2	3	4	5
2C.	Posts in the Office of the Director of Light-houses and Lightships, Panjim, Goa.	Director of Lighthouses and Lightships, Panjim, Goa.	Director of Lighthouses and Lightships, Panjim, Goa.	All Director General of Lighthouses and Lightships.

[No. 8-ML(3)/65.]

JASWANT SINGH, Under Secy.

## MINISTRY OF WORKS AND HOUSING

*New Delhi, the 13th September 1965*

**S.O. 2960.**—In exercise of the powers conferred by sub-section (1) of section 17 of the Requisitioning and Acquisition of Immovable Property Act, 1952 (30 of 1952), the Central Government hereby directs that the powers exercisable by it under sections 7, 8, and 10 of the said Act shall be exercisable also by the Administrator, Dadra and Nagar Haveli in the Union territory of Dadra and Nagar Haveli in respect of any property requisitioned or acquired under the said Act situated within his jurisdiction.

[No. F.12(23)/61-Acc.II.]

**S.O. 2961.**—In pursuance of clause (b) of section 2 of the Requisitioning and Acquisition of Immovable Property Act, 1952 (30 of 1952), the Central Government hereby authorises the Collector in the Union territory of Dadra and Nagar Haveli to perform the functions of a competent authority under the said Act for the area falling within his jurisdiction.

[No. F.12(23)/61-Acc.II.]

B. M. LAL, Under Secy.

*New Delhi, the 14th September. 1965*

**S.O. 2962.**—In exercise of the powers conferred by sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following amendments in the Schedule to the notification of the Government of India in the late Ministry of Works, Housing and Supply No. S.R.O. 635, dated the 28th February, 1957, namely:—

In the said Schedule, in Part II—General Central Service, Class III, under the heading "Other Offices", for the entries relating to, "Section Officer, Civil/Electrical/Horticultural; Ministerial and Drawing Staff of Circles and Divisions", and "Other miscellaneous posts", the following entries shall be substituted, namely:—

1	2	3	4	5
Section Officer, Civil/ Electrical/Horticultural; Ministerial and Draw- ing Staff of Circles and Divisions;	Superintending Engineer.	Superintending Engineer.	All	Additional Chief Engi- neer (Vigilance) in respect of penal- ties (i) to (iii).  Chief Engineer in res- pect of penalties (iv) to (vii).
Other miscellaneous posts.	Superintending Engineer.]	Superintending Engineer.  Divisional Offi- cers.	All  (i) to (iii)	Additional Chief En- gineer (Vigilance). Superintending En- gineer.

[No. 8/4/65-AV.]

K. N. ZUTSHI, Dy. Secy.

**DELHI DEVELOPMENT AUTHORITY***New Delhi, the 15th September 1965*

**S.O. 2963.**—In pursuance of the provisions of sub-section (4) of Section 22 of the Delhi Development Act, 1957, the Delhi Development Authority has replaced at the disposal of the Central Government the land described in the schedule below for placing it at the disposal of the land and Development Officer, Ministry of Works & Housing, Government of India, New Delhi.

**SCHEDULE**

Piece of land measuring 0.36 acres bearing Khasra No. 714 min. situated in Aliganj Estate.

The above piece of land is bounded as follows:—

ORTH : Pucca Road  
 SOUTH : Private Land  
 EAST : Pucca Road.  
 WEST : Wall of Bagh of Nathu Singh.

[No. L2(2)64.]

*New Delhi, the 17th September 1965*

**S.O. 2964.**—In pursuance of the provisions of sub-section (4) of Section 22 of the Delhi Development Act, 1957, the Delhi Development Authority has replaced at the disposal of the Central Government the land described in the schedule below for placing it at the disposal of the land and Development Officer, Ministry of Works & Housing, Government of India, New Delhi for further transfer to the Municipal Corporation of Delhi for a Middle School.

**SCHEDULE**

Piece of land measuring 450 sq. yds. bearing Khasra Nos. 307/19 & 310/19 situated in Qadam Sharif Estate.

The above piece of land is bounded as follows:—

	Khasra No. 307/19	Khasra No 310/19
NORTH :	Jhandewala Road	Jhandewala Road.
SOUTH:	Service Road.	Service Road.
EAST :	Khasra No. 306/19	Khasra No. 309/19
WEST :	Khasra No. 308/19	Khasra No. 311/19.

[No. L2(21)63.]

R. K. VAISH,

Secretary,

Delhi Development Authority.

**MINISTRY OF LABOUR & EMPLOYMENT***New Delhi, the 14th September 1965*

**S.O. 2965.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Andhra Pradesh, Hyderabad in respect of complaint under section 33A of the said Act filed by Shri G. Surya Rao an employee of Visakhapatnam Port Trust, Visakhapatnam which was received by the Central Government on 4th September, 1965.

**BEFORE THE HON'BLE INDUSTRIAL TRIBUNAL, ANDHRA PRADESH, HYDERABAD**

**PRESENT:**

Dr. Mir Sladat Ali Khan, M.A., LL.B., Fazel (Osm); B.C.L., (Oxon); D.Phil., (Oxon); Bar-at-Law; (Lincoln's Inn) (London); **CHAIRMAN, INDUSTRIAL TRIBUNAL, Andhra Pradesh, Hyderabad.**

## MISCELLANEOUS PETITION NO. 13 OF 1965

In

INDUSTRIAL DISPUTE NO. 42/1964

BETWEEN

Sri G. Surya Rao, C/o The Visakhapatnam Harbour and Port Workers' Union,  
Visakhapatnam-1—Complainant.

AND

The Management of Visakhapatnam Port Trust, Visakhapatnam-1.

*Opposite Party.*

## APPEARANCES:

Sri K. Satyanarayana, Advocate, for the Complainant.

Shri K. Srinivasa Murthy, Advocate, for the Management—Opp. Party.

## AWARD

This Miscellaneous Petition No. 13/1965 was filed under Section 33-A of the Industrial Disputes Act XIV/1947 during the pendency of the industrial dispute No. 42/1964 being a dispute between the workmen and the management of the Visakhapatnam Port Trust. It is about the removal of G. Suryarao, a Khalasi in the service of the Port. He was removed with effect from 1st February, 1965. I have heard the arguments of the learned advocates of the parties and proceed to record my opinion below:

2. The learned advocate for the employer contended that, as in a petition under Section 33 of the Industrial Disputes Act and also a reference under Section 10(1) of the said Act, the powers of the Tribunal are limited in a complaint under Section 33-A of the said Act also. According to him, the Tribunal is not to sit in appeal over the finding of the domestic tribunal, has no say in the measure of punishment and can only see whether the conclusions reached by the domestic enquiry are reasonable. Without agreeing with all that the learned advocate has contended above, I may say that there are several cases including those of the Supreme Court also that in a reference under Section 10(1) and also in a petition under Section 33 of the said Act the Industrial Tribunal has only to see whether in the decision of the domestic tribunal any principles of natural justice have been contravened, whether the employer is actuated by motives of victimisation or is guilty of other unfair labour practices or the finding of the domestic tribunal is perverse on the record. I state here expressly that, on a perusal of the record of the domestic tribunal, I am of the opinion that the conclusions reached by it are obviously perverse. I will unfold my reasons in the following paragraphs.

2(1): The workman G. Suryarao was charge-sheeted with three charges, viz.,

*Charge No. 1:* that, on 22nd July, 1964, while on night shift from 4-30 p.m. to 1-30 a.m. he came to duty at 6-30 p.m. that is, late by 2 hours and asked the time-keeper Sri Pydikonda to take him to duty and to mark him present as if he came in time and also not to inform the same to the shift assistant foreman. The time-keeper informed him that he could neither take him to duty nor mark him present without the knowledge of the foreman, for which he abused and threatened the time-keeper that he would beat him one day or other;

*Charge No. 2:* that, after he was taken to duty at 6-30 p.m. by the orders of Sri L. Shankarayya, the Assistant Foreman he absconded from 9-30 p.m. to 1-00 a.m.;

*Charge No. 3:* that, after the workshop was closed at 1-30 a.m. and when the time-keeper was going home he way-laid and beat him near Port's Goods-shed;

3. These charges were duly enquired into by a committee appointed by competent authority and consisting of Sri S. L. Handa, Mechanical Engineer, and Sri C. K. Gopal Rao, Labour Officer. On Charge No. 1 the finding of the committee is that the coming late by 2 hours is proved from the workman's statement, the statement of the Assistant Foreman Shankaraiah and, that of the foreman Poornachandran who was the authority, but, that the charge of threatening and abusing is not proved.

Regarding the second charge of absconding from duty from 9-30 p.m. till 1-00 a.m. the finding is that witness No. 2, Appalaraju, has stated that the workman worked with him from 10-00 p.m. till 10-15 or 10-20 p.m. and the defence witness No. 2, D. Manikyam, a machinist, has stated that the workman worked with him from 11-00 to 11-30 p.m. but the time-keeper searched for him while giving allocations to workmen at 9-30 p.m. and he was not found and he did not find him in the workshop also at 12 midnight. The committee has also stated that the time-keeper has stated in his statement that he informed the Asst. foreman at 1-00 a.m. that the workman was not present, but, Shankaraiah himself has stated before the committee that the time-keeper has informed him that the workman Suryarao was sleeping somewhere. On this record the finding of the committee is that it is established that workman Suryarao was absent from his post of duty intermittently. The reason given is that his continuous presence from 9-30 p.m. till 1-00 a.m. is not deposed to even by any defence witness, nor by the foreman himself who is the authority. Another reason is also added, viz., that the time-keeper found him missing.

Regarding Charge No. 3, the committee perused the certificate of the dispensary that owing to the injuries he received on the night under consideration, the time-keeper was made unfit for 4 days. It also perused the certificate declaring him to be fit after 4 days. The committee also asked the time-keeper to put on before them the shirt which bore the marks of being hit in three places on the left hand, on the back and on the chest. The committee also noted that the defence witnesses Michael has stated that he saw the time-keeper going on the road and did not hear any shouts for help. On this record the committee came to the conclusion that something has happened on that night between the workman Suryarao and the time-keeper, but, that there is no evidence for the same. The Mechanical Superintendent considered the finding on charge No. 3 and stated in an enclosure to his order of removal 5 reasons from which he held that charge No. 3 is also proved. The five reasons are as follows: that the time-keeper complained only of Suryarao; that the time-keeper complained to the police; that the time-keeper must have seen his assailant; that the time-keeper did not take him on work at 6-30 p.m. and the time-keeper reported him missing. For these "5 irrefutable reasons" the mechanical superintendent Sri A. W. De Lima held the charge No. 3 also proved.

3 (1).—I begin with the five reasons of the mechanical superintendent. It may be noted that all of them depend upon the statements of the time-keeper, who is the complainant himself. It is a rule of evidence that the statements of interested parties are to be taken with caution. Here, the time-keeper was the complainant and as such interested and there is nothing to show that his statement was taken with caution. On the other hand, the 5 reasons given above show clearly that his statement was accepted in full. The mechanical superintendent has also stated a possibility that the time-keeper must have seen his assailant without trying to find out from the record whether there was light enough to see, whether it was a moon lit night or any light of the street or a light of any building. There is nothing on record to show that the time-keeper could have seen the assailant and identified him at about 1-45 a.m. in the night. Thus, he has accepted the statement of the complainant *in toto* without taking into consideration the caution advised by the law of evidence and have also acted on the possibility that he might have seen the assailant without caring to find out whether there was a light of any description in which a man can identify his assailant in the dead of night. In my opinion, therefore, for the above stated reasons the finding of the mechanical superintendent is perverse. It does not follow from the record and I need not state that the finding of the committee itself was that charge No. 3 of assault was not proved but something might have happened between the time-keeper and the workman G. Suryarao. If the charge is not proved the finding that something might have happened is again perverse. Thus, in my opinion, charge No. 3 is not proved as is stated by the committee itself and what the committee has said that something has happened was not the charge with which the workman was charge-sheeted.

3 (2).—I pass on to the finding of the committee on Charge No. 1. The committee has stated that coming late by 2 hours is proved by Suryarao's own statement. This is due to the fact that the shift began from 4-30 p.m. and Suryarao stated that he came at 6-30 p.m. To regard this statement as a proof of coming late by 2 hours is perverse, for the reason that, he in fact stated also that 10 days ago he had worked 2 hours more than the scheduled hours and was given time-off by the assistant foreman, Sri L. Shankaraiah. Obviously, therefore, there was no admission of coming late because permission to come late by 2 hours was

pleaded. The committee could have held that, as the permission was not proved, he came late, but, to say that he admitted coming late by 2 hours cannot be correct as it was qualified by the plea of permission. The second reason for the finding is that coming late is proved from the statement of L. Shankaraiah, the assistant foreman. This is also perverse, for the reason that, Shankaraiah has himself stated that he gave him permission. When a man is permitted to come late, to hold that he was late is perverse, for, when permission is given, the coming late is justified and cannot be the basis of any charge. The record shows that the foreman Poornachandran stated to the committee that Shankaraiah's statement that he gave time-off to G. Suryarao was verified by him and found incorrect inasmuch as on the date given by Shankaraiah nobody worked over-time. The register of over-time work was also filed before the committee and the time-keeper's statement was accepted. However, it is evident that giving time-off and over-time are not the same things. Overtime is when a man has worked more than the scheduled hours and is paid double the wages for the time he worked more. The time-off here is that as, on a previous occasion the workman has worked more than the scheduled hours, instead of paying him the over-time wages, he is allowed to work less on some other day. This is clearly the meaning given to the words "time-off" as they are used here. Hence, the reference to over-time register was not correct. It was neither the statement of the workman G. Suryarao nor that of Shankaraiah that the workman was given over-time. As he was not given over-time nothing could be found in the over-time register. The conclusion drawn by the committee that no time-off was given was, therefore, incorrect and perverse. The man who gave the time-off stated it before the committee and the workman also stated it before the committee and the workman also stated the same. There was no reason, therefore, to disallow their statements, as over-time and the statement of the time-keeper that nobody worked over-time was not relevant. No doubt the time-keeper denied the power of giving time-off to the Assistant time-keeper and he in turn stated that it was not delegated. Even so, the Asst. Time-keeper stated also that that was the practice for a long time. At any rate, as far as the workman was concerned, he came late by permission and was, therefore, not in fault. Hence, the conclusion drawn by the committee was perverse. It may be noted that Shankaraiah, the assistant foreman, stated that he gave only 1½ hours time-off. This was put to the workman and he stated that he had worked for two hours and Shankaraiah had given him 2 hours. The statement was made by the workman before the statement of Shankaraiah was recorded and the committee should have drawn Shankaraiah's attention to it in the presence of the workman and after hearing both of them could have then disbelieved the workman. As the committee did not do this, the conclusion that he came late and for the full 2 hours is obviously perverse. Lastly, the committee has said that coming late is also established by the statement of the foreman Poornachandran. The foreman in his own statement before the committee has stated that he was not in the night shift and, thus, to hold that the coming late is established by his statement is obviously perverse. I concede that the committee may have drawn that conclusion not on this ground but on the ground that no over-time was worked. Even so, I have already held that the reference to overtime was irrelevant as it was not pleaded.

3 (3).—A word about the foreman himself and his statements before the committee. The committee asked him a question that Suryarao has abused and threatened the time-keeper and "if he has done so can you state your reasons for the same". This question was objected to by Sri M. V. Bhadram. Even so, the answer to it was recorded. Witnesses depose to facts and not to opinions. So asking the foreman about his opinion whether Suryarao could have abused and threatened the time-keeper was not allowed by law and the recording of the answer that he had found him rather rough and that several times he had advised him not to get himself entangled with superiors should not have come on record, as also the further statement of the foreman that G. Suryarao had once even abused him. It is a serious thing to abuse a foreman and, without more details, the statement creating the impression about the likelihood of the workman committing the charge of assaulting the time-keeper should not have been recorded. All this will show that, even though the committee came to the conclusion that the charge of abusing was not proved, the workman was prejudiced, as the committee had found that something has happened between the workman and the time-keeper on charge No. 3 and the Mechanical Superintendent has also held that the committee did not hold that charge No. III was not proved, as it has held that something has happened that night between the time-keeper and the workman.

3 (4).—In the covering letter of the time-keeper to the mechanical superintendent the words that 'the workman asked the time-keeper to admit him to

duty at 6-30 p.m. and not to inform the time-keeper' were not found. In cross-examination Sri M. V. Bhadram asked him that as these words were not found in the time-keeper's report but are found in his own letter did he enquire the time-keeper before adding them in his report. He stated that he did not meet the time-keeper before he sent the report at 11-00 a.m. on 23rd July, 1965 and that he met him only at 5-00 p.m. This is against the time-keeper's own statement that he saw the foreman at 6 a.m. The committee could have pointed this out to the foreman and without doing it it relied on the statement of the foreman that coming late was proved by his statement also. The conclusion is, therefore, perverse.

4. As already stated, on charge No. 2, the finding is that being absent intermittently from 9-30 p.m. to 1-00 a.m. is proved for the reason that not even the defence witnesses have deposed that he was continuously present from 9-30 p.m. to 1-00 a.m. In the first place, the committee was not correct in shifting the burden of proof to the defence witness. Law is that a charge is proved by the person making the charge. In the second place it should be noted that the company has accepted the statement of employers' witness Appalaraju that the workman worked with him from 10-00 p.m. to 10-15 or 10-20 p.m. and also that of the defence witness Manikyam that the workman worked with him from 11-00 to 11-30 p.m. The reasonable conclusion from this was that he was present in the shift, for, when the man is present at 10-00 p.m., 11-00 p.m. and also at 1-00 a.m. in the shift of 9-30 p.m. to 1-00 a.m. the obvious conclusion is that he was present throughout the shift. This conclusion was not drawn by the committee on the ground that the time-keeper missed him at 9-30 p.m. when he went out to give allocations to workmen and also that at 12-00 p.m. he was not found in the workshop. It should be noted that as against this, the statement of Suryarao himself was that, he was working on clearing the machines whenever he did not work with Appalaraju or Manikyam. To prefer the statement of the time-keeper the record must have shown him to be a truthful witness in spite of his being an interested one. But, in the committee's own finding it has been stated that the time-keeper's statement is found untrue, for instance, about his statement that he informed Shankaraiah about Suryarao abusing and threatening him. The committee itself has found that Shankaraiah has denied this. Shankaraiah being an assistant foreman the committee thought fit to record his statement and on his statement held that the charge of abusing and threatening was not proved. To that extent they found the time-keeper to be an untruthful witness. Again, in the statement of the time-keeper that he did not find the workman in the workshop at 12 mid night and reported the fact to Shankaraiah the committee repeated the statement of Shankaraiah in their report that the time-keeper had reported to him that Suryarao was sleeping somewhere. Sleeping during hours of duty was not the charge but the charge was that he absconded from duty and when he had slept on his post of duty it could not be said that he was absconding. When the committee thought fit to record this statement of Shankaraiah in its finding it should have held that the charge of absconding was not proved. It did not do so. Therefore, the conclusion was clearly perverse.

5. I could have commented more, but, I intentionally limited myself to such comments as go to show the conclusion of the committee to be perverse. In my opinion, they are perverse. I, therefore, hold that all the 3 charges are not proved and the workman should be reinstated from the date of his suspension with continuity of service and half backwages.

6. Before concluding, I may state that, according to Laxmi Devi Sugar Mills Case, 1957 (1) LLJ, 17, in a section 33-A petition as against a section 33 petition, the entire record is to be examined on merit. The learned advocate for the employer contended that when the Supreme Court has not allowed this in a section 10(1) reference the scope of a 33-A petition cannot be wider than that of a reference under section 10(1). I have my own doubts. If in section 10(1) reference the record cannot be examined by the Tribunal on merit, then, where is the use of giving the workmen an opportunity to raise an industrial dispute after the employer's petition under Section 33 is allowed. By confining the section 10(1) reference to the same level as that of a section 33 petition, the whole proceedings of the reference become infructuous, and, to enlarge it even to a section 33-A petition would make the proceedings under Section 33-A also infructuous. But, as far as section 10(1) references are concerned, the pronouncement of the Supreme Court are clear and binding and, it is for this reason that I have examined the record from the point of view of whether the conclusion reached is perverse. That is one of the grounds allowed to the Tribunal in the Buckingham and Carnatak Company case and whether, explicitly or tacitly, has

been approved by the Supreme Court in many a case. I have, therefore, followed the Supreme Court cases to examine the record in this case.

Reinstatement with continuity of service and half back-wages from the date of suspension is awarded. The employer's learned advocate did not argue that the complaint was not filed during the pendency of I.D. 42/64 or that the workman was not concerned in it. From what I have held above, it is clear that section 33 was contravened. The complaint was, therefore, correctly laid.

Award accordingly and report to Government of India, given under my hand and the seal of the Court, this the 31st Day of August, 1965.

(Sd.) M. S. ALI KHAN, Industrial Tribunal.

List of witnesses examined for:

Workmen: Nil

Employers: Nil.

List of Documents exhibited for Workmen:

Nil.

List of Documents exhibited for Employers:

Ex.M1: Domestic enquiry file relating to workman G. Suryarao.

(Sd.) M. S. ALI KHAN, Industrial Tribunal.

[No. 28/77/64-LRIV.]

**S.O. 2966.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Andhra Pradesh, Hyderabad in respect of complaints under section 33A of the said Act filed by Shri Modu Kasinadham and Shri Kadiri Yellayya respectively employees of Visakhapatnam Port Trust, Visakhapatnam which was received by the Central Government on 2nd September, 1965.

# BEFORE THE HON'BLE INDUSTRIAL TRIBUNAL, ANDHRA PRADESH, HYDERABAD.

## PRESENT:

Dr. Mir Sladat Ali Khan, M.A., LL.B., Fazel (Osm); B.C.L. (Oxon); D. Phil. (Oxon); Bar-at-Law (Lincoln's Inn) (London); Chairman, Industrial Tribunal, Andhra Pradesh, Hyderabad.

MISCELLANEOUS PETITION No. 74 OF 1964

IN

INDUSTRIAL DISPUTE No. 42 OF 1964

## BETWEEN:

Sri. Modu Kasinadham and Sri Kadiri Yellayya-III, C/o. The Visakhapatnam Harbour and Port Workers' Union, Visakhapatnam.—*Complainants.*

AND

The Chairman. The Visakhapatnam Port Trust, Visakhapatnam.—*Opp. Party.*

## APPEARANCES:

Sri K. Satyanarayana, Advocate.—*for the Workmen. (Complainants).*

Sri K. Srinivasamurthy, Advocate.—*for the Opp. Party.*

## AWARD

This is Miscellaneous Petition No. 74 of 1964 filed by Madu Kasinadham and Kadiri Yellayah, Complainants, against the Chairman of the Visakhapatnam Port Trust under Section 33-A of the Industrial Disputes Act XIV/1947. I have heard the arguments of the learned Advocates of the parties just now and proceed to dictate the Award below:—

2. Briefly, the stand of the learned Advocate for the workmen is that Ex. W-3 is the list of Tug Masters furnished by the employer himself. It contains in its enclosure the names of the Tug Masters. Serial 7 and 8 will show that there are two Class-II Tug Masters, but, Ex. W-22, another list furnished by the employer, would show that for the 4 tugs under consideration there should be 10 posts of



Tug Masters. Of them, according to page 4 serial 41 and 53 of Ex. M-51, the Staff Schedule, which is now in force, there should be 1+2 or 3 Tug Masters of Class-II. However, as already stated above, it is evident from Ex. W-3 that there are only 2 Class-II Tug Masters. It is, therefore, evident that there is one post of Class-II Tug Masters vacant. The learned advocate for the workmen contended that, this one vacant post should be given to Kasinadham. He also stated that the union withdraws the demand regarding Yelliah. Lastly, the said learned advocate drew attention to Ex. W-66. It is a settlement and demand No. 63 on page 3 of the settlement would show that no post can remain vacant for more than 3 months and as Kasinadham has been reverted from 1st November, 1964 the post is vacant for more than 3 months and the employer is bound by the settlement to fill it and it should, therefore, be given to Kasinadham.

3. I have considered the above contentions of the learned advocate carefully. It appears from the deposition of M.W. 2 that now there is no post vacant. Hence, the reliance on the settlement Ex. W-66 and Demand No. 63 is in vain. I asked the learned advocate for the workmen a direct question *viz.* what is there to show that the Staff Schedule or Ex. W-22 were sacrosanct and could not be varied. It is evident from the deposition of M.W. 2 that, the employer in the exercise of his managerial functions, increased the number of Class-I Tug Masters and that appears to be the reason for departure from Ex. W-22. He has instead of having 10 tug masters of whom formerly there were 3 class-II tug masters increased the number of class-I tug masters to 5 and reduced that of class-II tug masters to 2 and fixed the total complement at 9 instead of 10. This he could do and I have no say in his managerial function and, therefore, it is evident that the workmen have no case.

4. This is a 33-A complaint. Therein, I have to see whether there is any contravention of Section 33 in a pending dispute and whether the workmen were concerned in it. I.D. No. 42/1964 was pending at the date of reversion 1st November, 1964, and in the said I.D. 42 there were many questions of principles in which all the workmen were concerned. These two conditions are, therefore, satisfied. There remains the question of contravention of Section 32. In my opinion as the promotion of Kasinadham and Yelliah in the explicit words of the order in Ex. M-1 was temporary and officiating, it is evident that by terminating it no conditions of service of the workmen were contravened. Hence, there was no contravention of the Section 33. For all the above reasons I am unable to accede to the complaint. It is rejected.

Award accordingly given under my hand and the seal of the Court, this the 27th Day of August, 1965.

(Sd.) M. S. ALI KHAN,  
Industrial Tribunal.

*List of witnesses examined for:*

*Workmen:*

W.W. 1.—Sri K. Yelliah.

*Management.*

M. W. 1.—Sri T. S. Narsimham,  
M. W. 2.—Sri S. N. Bayanker.

*List of documents marked for Workmen:*

- Ex. W1.—Chit signed by Fore-man (Machine) dated 12th November, 1964, directing K. Yellaiah to attend night duty on 12th November, 1964.
- Ex. W2.—Chit signed by Fore-man (Machine) dated 11th November, 1964 directing K. Yellaiah to attend night duty on 11th November, 1964.
- Ex. W3.—Letter dated 1st April, 1965 from the Secretary, Visakhapatnam Port Trust addressed to the President, The Visakhapatnam Harbour and Port Workers' Union, Visakhapatnam-1, along with a list of names of Tug Masters Class I, II and III as on 1st November, 1964.
- Ex. W4.—List of Diesel Propelled Crafts—F.C. Section and steam propelled crafts—F.C. Section (marked as Ex. W-22 in the main I.D. No. 42/64 and brought to record by consent).
- Ex. W-5.—Memo of settlement arrived at in the industrial dispute between the Visakhapatnam Port Trust and their workmen represented by the Visakhapatnam Harbour and Port Workers Union in course of conciliation proceedings held under section 12 of I.D. Act on 12th June, 1964 and 13th June, 1964. (marked as Ex. W-66 in the main I.D. No. 42/64 and brought to record by consent).

Ex. W-6.—Schedule of Staff, Class I, II, III and IV as on 31st December, 1964 of the Visakhapatnam Port Trust (marked as Ex. M-51 in the main I.D. No. 42/64 and brought to record by consent).

*List of documents marked for the Management:*

- Ex. M-1.—Statement showing the acting arrangements in the Tug Master made w.e.f. 1st April, 1964, F.N. relating to the Visakhapatnam Port Trust, Deputy Conservator's Department.
- Ex. M-2.—Office Order No. E/310 dated 5th November, 1964, passed by the Visakhapatnam Port Trust, Dy. Conservator's Department.
- Ex. M-3.—Recruitment Rules of Class III and IV of the Marine Department of the Port Trust. (marked as Ex. W-28 in the main I.D. 42/1964 and brought to record by consent).
- Ex. M-4.—Recruitment Rules for the Mechanical Department of the Port Trust (marked as Ex. W-29 in the main industrial dispute No. 42/1964 and brought to record by consent).
- Ex. M-5.—Regulations issued by Government in respect of Visakhapatnam Port Trust under Major Port Trusts Act, 1963 (marked as Ex. M-2 in the main I.D. No. 42/1964 and brought to record by consent).

(Sd.) M. S. ALI KHAN,  
Industrial Tribunal.

[No. 28/77/64-LRIV.]

**S.O. 2967.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the matter of three applications under section 33A of the said Act, from Sarvashri Indal Singh, K. D. Mishra and Hidayat of Hindustan Steel Limited Bhilai which was received by the Central Government on the 28th August, 1965.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL  
AT BOMBAY**

**APPLICATION C.G.I.T. No. 27 OF 1965 IN REFERENCE NO. C.G.I.T. 104 OF 1964**

Shri Indal Singh, Male Mazdoor, Kokan Mines, Bhilai Steel Project, Madhya Pradesh—*Applicant.*

***Versus***

The management of Bhilai Steel Plant of M/s. Hindustan Steel Limited, Madhya Pradesh—*Opposite Party.*

**APPLICATION C.G.I.T. No. 29 OF 1965 IN REFERENCE NO. C.G.I.T. 104 OF 1964**

Shri K. D. Mishra, Skilled Mazdoor, Kokan Mines, Bhilai Steel Project, Madhya Pradesh—*Applicant.*

***Versus***

The management of Bhilai Steel Plant of M/s. Hindustan Steel Limited, Madhya Pradesh—*Opposite Party.*

**APPLICATION C.G.I.T. No. 28 OF 1965 IN REFERENCE NO. C.G.I.T. 104 OF 1964**

Shri Hidayat, Male Mazdoor, Kokan Mines, Bhilai Steel Project, Drug, Madhya Pradesh—*Applicant.*

***Versus***

The management of Bhilai Steel Plant of M/s. Hindustan Steel Limited, Madhya Pradesh—*Opposite Party.*

**PRESENT:**

Shri Salim M. Merchant, Presiding Officer

*For the Applicants.*—Shri S. K. Sanyal, General Secretary, Samyukta Khadan Mazdoor Sangh.

*For the Opposite Party.*—Shri G. B. Dube, Assistant Law Officer, with Shri P. K. Jha, Labour Inspector, Bhilai Steel Plant.

*Dated at Bombay this 24th day of August, 1965.*

INDUSTRY: Iron and Steel

STATE: Madhya Pradesh.

## AWARD

1. These are three complaints purporting to be under Section 33A of the Industrial Disputes Act, 1947 (Act XIV of 1947), and have been filed during the pendency of proceedings in Reference C.G.I.T. No. 104 of 1964, which is a reference made to me by the Central Government under Section 36A of the Industrial Disputes Act, 1947, the subject matter of the reference being the correct interpretation of a settlement dated 3rd November, 1962, which was entered into in the course of conciliation proceedings by the employers in relation to the Rajahara and Nandini and Hirri Mines of the Bhilai Steel Project of Hindustan Steel Limited and their workmen, represented by the Steel Workers' Union. The question for interpretation is whether that said settlement covers the nominal muster role workmen of the Prospecting Division of the Mines.

2. Being doubtful whether a complaint under Section 33A of the Industrial Disputes Act, 1947 (Act XIV of 1947), would be maintainable in proceedings of a reference made under Section 36A of the Act, I had notices issued on the parties to show cause how these applications were maintainable, and I have heard the submissions of the parties thereon. The Opposite Party by separate written statements dated 17th August, 1965 filed in each of these three applications has urged that the applications are not maintainable in proceedings in a reference under Section 36A of the Act.

3. In a similar application (Application No. C.G.I.T. 22 of 1965, Shri Dilbahadur, Chowkidar, complainant v/s. Hindustan Steel Ltd., Bhilai—Opposite Party) under Section 33A of the Industrial Disputes Act, 1947, arising out of this very reference, i.e. Reference No. C.G.I.T. 104 of 1964, I had by my Award dated 1st June, 1965, published in the Government of India Gazette Part II. Section 3(ii) dated 19th January, 1965 at pages 2135 to 2137, held that a complaint under Section 33A of the Industrial Disputes Act, 1947, (Act XIV of 1947) was not maintainable in proceedings of a reference under Section 36A of the Industrial Disputes Act.

4. Shri S. K. Sanyal, General Secretary, Samyukta Khadan Mazdoor Sangh, who appears for the Applicants, has urged that the expression "any proceeding" occurring in Section 33A of the Industrial Disputes Act would also cover proceedings in a reference under Section 36A of the Industrial Disputes Act. His contention is that the original proceedings—whether they be proceedings in conciliation before a Conciliation Officer or proceedings in adjudication before an industrial tribunal, continue to subsist till the proceedings of the reference under Section 36A of the Industrial Disputes Act are concluded. He has, in that connection, relied upon a decision of the Division Bench of the Patna High Court reported in the case of Bengal Coal Company Limited and the Central Government Industrial Tribunal and others (1962 II LLJ page 414).

5. As I have stated in my last earlier award dated 1st June, 1965 in the said Application C.G.I.T. No. 22 of 1965, I have followed the reasoning of the Division Bench of the Patna High Court (Shri Ramaswamy C.J. and Shri Untwalia J.) in the case of Sendra Bansjora Co. (Pvt.) Ltd., and Shantilal M. Bhatt and another (1963 II LLJ page 331), where their Lordships, after reviewing the provisions of Sections 10, 15, 17, 17A and 23 of the Industrial Disputes Act 1947, held that a complaint under Section 33A of the Industrial Disputes Act before the industrial tribunal before which proceedings under Section 36A of the Act are pending, must be held to be incompetent and not maintainable. Their Lordships in that case observed as follows:—

"On a review of these statutory provisions, it is apparent thus that there is a sharp difference between the language used in Section 10 of the Act and the language used in Section 36A of the Act. It is important to notice that Section 36A in express language states that the appropriate government may refer a "question" as to the interpretation of an award or settlement to a tribunal for the decision of such "question". In contrast, Section 10 of the Statute States that the appropriate government may refer an "industrial dispute" for adjudication to a tribunal or a labour court, and the duty of the tribunal receiving the reference is to give an "award" under Section 15 of the Act after following the appropriate procedure. In our opinion, a proceeding under Section 36A of the Act is not a proceeding "in respect of" an industrial dispute within the meaning of Section 33(i) or Section 33 (iii) of the Act. .... The legal test for judging whether a reference is "in respect of" an industrial dispute is whether the reference is substantially or in its

nature and character a reference with regard to an industrial dispute. In the present case, we are of the opinion that the reference made by the Central Government under Section 36A is not a reference "in respect of" an industrial dispute, but a reference in regard to the interpretation of an Award. We accordingly hold that the application of the Opposite Party in the present case complaining of infringement of provisions of Section 33 of the Act is incompetent, and the Central Government Industrial Tribunal at Dhanbad has no jurisdiction to entertain the application under Section 33A of the Industrial Disputes Act".

6. The ratio of the judgment applied all the more in the instant case where the question referred by Government under Section 36A of the Act is for interpretation of an agreement reached in conciliation proceedings. This clearly is a reference for interpretation of a conciliation agreement and it cannot be stated that such a reference is "in respect of" an industrial dispute. I am not called upon in this reference, which is under Section 36A of the Act, to adjudicate on any industrial dispute, but merely to give a correct interpretation of the agreement of the conciliation settlement dated 3rd November, 1962. I do not think there can be any question of the continuation of the conciliation proceedings as urged by Shri Sanyal which would give me jurisdiction to a complaint under Section 36A of the Act.

7. In my opinion, the judgment in the case of Bengal Coal Company Limited and the Central Government Industrial Tribunal and others (1962 II ILJ page 414) relied upon by Shri Sanyal, has no relevance and application. In that case what was decided was a point of procedure and the only question was whether in proceedings in a reference under 36A of the Industrial Disputes Act, 1947, all the parties to the original dispute were necessary to be joined as parties and their Lordships held that:—

"As the original dispute was dealt with on an industrial-wise basis under the original award, and it was necessary for all the Collieries which were covered by the original award to be joined as parties for the correct interpretation of a direction in that award, and that if that was not done it would create confusion and industrial unrest if the award is interpreted in one manner for one Colliery and not on a uniform basis for all Collieries which were covered by the original award".

8. In the result, for the reasons stated above and for the reasons stated in my last Award dated 1st June, 1965 in application No. C.G.I.T. 22 of 1965, I hold that each of these applications is not maintainable and is incompetent as there has been no infringement of Section 33 of the Act and I have, therefore, no jurisdiction to entertain them.

9. I am disposing of these three applications by a common award as the same point has arisen for decision in each of three applications and the respective submissions of both the parties in each of these three applications were the same.

10. No order as to costs.

(Sd.) SALIM M. MERCHANT,

Presiding Officer.

[No. 23/5/63-L.R.I.]

*New Delhi, the 16th September 1965*

**S.O. 2968.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay in respect of an industrial dispute between the management of the Bank of Maharashtra Limited and their workmen which was received by the Central Government on the 14th September, 1965.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY**

REFERENCE No. CGIT 101 of 1964

Employers in relation to the Bank of Maharashtra Ltd.

AND

Their Workmen.

**PRESENT:**

Shri Salim M. Merchant, Presiding Officer.

*For the Bank*—Shri N. D. Juvekar, Advocate, with Shri S. D. Sapre, Senior Staff Executive.

*For the Workmen*—Shri K. K. Mundul, Vice-President, All India Bank Employees' Federation, with Shri R. M. Sorakhe, President, Vidharba Bank Employees' Federation.

*Dated at Bombay this 9th day of September 1965*

**INDUSTRY:** Banking.

**STATE:** Maharashtra.

**AWARD**

1. The Central Government, by the Ministry of Labour and Employment's Order No. 51(64)/64-LRIV, dated 8th December, 1964, made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947) (hereinafter referred to as the "Act") was pleased to refer the industrial dispute between the parties abovenamed in respect of the following subject-matter specified in the schedule to the said order, to me for adjudication:—

**SCHEDULE**

"Whether, having regard to the duties performed by him, Shri K. G. Ramgirkar of the Hinganghat branch of the Bank of Maharashtra Limited is entitled to the special allowance prescribed for supervisors under para 5.282 of the award dated 7th June, 1962, of the National Industrial Tribunal (Bank Disputes) Bombay, published with notification of the Government of India in the Ministry of Labour and Employment's Order No. S.O. 2028 dated 13th June, 1962, and, if so, from what date?"

2. The workman concerned in the dispute, K. G. Ramgirkar, in his written statement dated 11th January, 1965, has stated that he was appointed in the former Bank of Nagpur Limited, in 1945 and was working as a Senior Clerk, when in 1962 the Bank of Nagpur constituted him as its attorney, that under the power of attorney granted by the Bank in his favour, he was entitled to sign on behalf of the Bank as second signatory. The Bank of Maharashtra (hereinafter referred to as the "Bank") under a Scheme of Amalgamation took over, with effect from 27th March, 1961, the entire assets and liabilities of the Bank of Nagpur Limited, including its staff but excluding the General Manager, and thus Ramgirkar became a permanent employee on the register of the Bank; that at the time of amalgamation he was working in the Hinganghat branch office and continued to work there. His complaint is that though the powers granted to him under the power of attorney in his favour given by the former Bank of Nagpur continued to be exercised by him, the Bank has denied him the benefit of the special allowance provided by para 5.282 of the Award dated 7th June, 1962 of the National Tribunal (Bank Disputes) (hereinafter called the Desai Award); that the Bank with effect from 1st July, 1963 adjusted the emoluments of the staff taken over from the former Bank of Nagpur Limited, in terms of the Desai Award, but did not grant the special allowance to which he (Ramgirkar) was entitled. In para 6 of his Statement of claim, Ramgirkar has listed under 9 heads the duties performed by him, which according to him are the duties and responsibilities of a higher nature as Senior Clerk by virtue of the powers granted to him by the Bank. In para 7 of his Statement of Claim, Ramgirkar has stated that recently, on 20th November, 1961 the Bank granted to the Agent of the Hinganghat Branch a single power by which he (Ramgirkar) was deprived of his daily routine duties of a Senior Clerk, as also the special allowance under the Desai Award. In para 8 of his Statement of Claim he has stated that this action of the Bank amounted to a breach of the Award as well as the customary privileges which he was enjoying all these years without any break, with the intention of depriving him of his legitimate claim. Ramgirkar has in para 9 of his written statement stated that the duties performed by him are essentially of a higher nature and carry higher responsibilities, and he is, therefore, entitled to special allowance under the Desai Award, and he has prayed that he may be granted the same.

3. The Bank in its written statement dated 25th January, 1965, in reply to the Statement of Claim Ramgirkar has raised a preliminary objection that no definite dispute or difference has so far crystallised to the notice of the Bank between it and Ramgirkar, but at the hearing of the dispute before me on 15th July, 1965

Shri Juvekar, the learned Advocate, for the Bank, gave up this plea of prematurity.

4. It has next been urged by Shri Juvekar on behalf of the Bank that this reference which is under clause (d) of sub-section (1) of section 10 of the Act is invalid because this dispute is in breach of the Desai Award, and that as the subject matter of the dispute really concerns the interpretation of the Desai Award, the reference should have been made under Section 36A of the Act. I am not satisfied that this contention has any substance. In my opinion, this dispute does not involve a question of interpretation under Section 36A of the Act. The dispute, in my opinion, centres round what are the terms and conditions of service as laid down in a particular provision of the Award i.e. the Desai Award, which is binding on both the employers and the workmen concerned. In my opinion, this is an industrial dispute as defined by section 2(K) of the Act, inasmuch as it is a dispute or difference between the employers and the workmen connected with the terms of employment of the workmen concerned. In my opinion, this is not a matter which could be covered under Section 36A of the Act, because what is under dispute is not the interpretation of the directions contained in the particular Award i.e. the Desai Award, but the application of those directions to the case of a particular employee who claims that he has been performing the duties which entitle him to the payment of an additional allowance as prescribed by para 5.282 of the Desai Award. In determining the application of the Desai Award, it would first be necessary to determine whether in fact the workman in question performs duties which would entitle him to payment of the additional amount by way of a special allowance provided for under para 5.282 of the Desai Award.

5. I am also not impressed by the next contention urged by Shri Juvekar that the proper remedy of Shri Ramgirkar, the workman concerned, is under the Payment of Wages Act. Under the Payment of Wages Act what is recoverable is a determinable amount, but here the dispute is whether under the terms of employment of the workmen as laid down by para 5.282 of the Desai Award he is entitled to the payment of an additional allowance.

6. For these reasons, I am satisfied this is a valid reference under clause (d) of sub-section 1 of Section 10 of the Act, and I have jurisdiction to entertain the same.

7. It has next been urged in the written statement of the Bank that this is an individual dispute. It is no doubt a dispute concerning the claim of an individual employee of the Bank, but it has ceased to be an individual dispute because the other workmen in the Bank have through their registered Union, espoused the cause of Shri Ramgirkar and took up the dispute and got it referred for adjudication. This is, therefore, no longer an individual dispute, but has developed into an industrial dispute.

8. Now, on the merits of the dispute, the Bank in its written statement of 25th January, 1965 has stated that the amalgamation of the Bank of Nagpur Limited with the Bank of Maharashtra Limited took place on 22nd March, 1961 under a scheme of amalgamation brought about by the Ministry of Finance, Government of India on the advice of the Reserve Bank of India; that the erstwhile Bank of Nagpur Limited under a settlement dated 25th February, 1959 reached before the Conciliation Officer had agreed to implement the provisions of the Sastri Award in respect of holidays, dearness allowance, etc. with effect from 1st January, 1959; that the Sastri Award contained a provision for the special allowance for Supervisors, under item 9 of para 164, which corresponds to para 5.282 of the Desai Award, but Shri Ramgirkar had not claimed this allowance under this settlement, which showed that the provisions for payment of a special allowance to Shri Ramgirkar was not justified. The Bank has urged that under the Scheme of Amalgamation, the Transference Bank was to give the same remuneration and the same terms and conditions of service as were applicable to such employees immediately before 27th November, 1960, for a period of three years minimum, and that during that period Ramgirkar had continued to be in the clerical cadre even after the amalgamation and there was no complaint about this from him or his Union. The Bank has stated that on expiry of the three years after amalgamation, the Bank of Maharashtra was to grant the employees of the erstwhile Bank of Nagpur Limited the same remuneration and terms and conditions of service as were applicable to its own employees. The Bank has pointed out that instead of waiting for the prescribed period of three years to elapse, as provided under the Scheme of Amalgamation, the Bank of Maharashtra Limited, in the interest of cordial industrial relations, applied the Bank of Maharashtra Limited's scales to the employees of Bank of Nagpur Limited with effect from 1st July, 1963, some nine months earlier, and the adjustment of revision of wages took

place in December, 1963, and signatures of the employees were obtained in acknowledgement of the adjustment being correct. But Ramgirkar even at that juncture did not make any claim for special allowance for supervisory duties, which showed that he himself did not consider that he really was acting in a supervisory capacity.

9. The Bank has next urged that if Ramgirkar had felt aggrieved over the adjustment of his emoluments in wake of amalgamation proceedings, as urged in para 5 of his written statement in this dispute, the proper remedy open to him was to approach the Reserve Bank of India, (as provided for under para 15 of the Scheme of Amalgamation) whose opinion would have been conclusive and binding on both the Bank of Nagpur and Bank of Maharashtra, as also on the employees of those Banks. The Bank has urged that because Ramgirkar had this opportunity of asking for intervention of the Reserve Bank of India, and failed to avoid himself thereof, the reference to the tribunal is invalidated. But at the hearing no arguments were advanced in support of this objection, nor was my attention directed to paragraph 15 of the Scheme of Amalgamation or any other provision of any Statute in support of this contention.

10. But to continue, the main ground urged on the merits by the Bank in opposing the claim of Ramgirkar is contained in paragraph 15 of its written statement, where it has urged that even under item 18 of para 5.282 of the Desai Award the claim of Ramgirkar would not be maintainable because that proviso provides for a special allowance only where the workmen claiming the allowance exercises powers of supervision, control and direction, which, according to the Bank, is absent as far as the duties of Ramgirkar were concerned. It has stated that, in fact, there was no staff working under him and, therefore, he was not entitled to this special allowance.

11. Before the hearing commenced, the Union applied for production of a large number of documents and the Bank by two separate memos dated 15th July, 1965 has produced the documents listed as Items A to F and Items A to L. The Bank had also prior thereto filed a statement dated 10th July, 1965, as its reply on the documents called for by the Union.

12. Now, the documents under the first list A to E consist mainly of letters and memoranda which may be dealt with briefly at this stage, as they are relevant on the actual duties performed by Ramgirkar. The first letter in the correspondence is copy of letter dated 11th May, 1964 (A) addressed by Ramgirkar to the General Manager of the Bank through the Agent, Hinganghat Branch, in which after recapitulating the facts of his service with the Nagpur Bank and referring to the Power of Attorney and the power in him of second signatory, he *inter-alia*, stated as follows:—

"Since 1959 when I was employee of the Hinganghat branch I had been discharging the work which carried higher responsibilities and vigilance in day to day office routine, which could be seen from the submissions of the periodical statements. Apart from the above, I used to sign inter-branch advises, T/T's, M/T's, Orders, Cash Orders, SBI cheques, etc., but I have altogether been neglected by the authorities so far as reward for the above work in payment of special allowance was concerned.

"I, therefore, request you to please favour me with special allowance prescribed by the Award carrying higher responsibilities in the office, and even in the absence of the Agent, whenever he proceeds on leave or other administrative work."

In reply the Bank by its memorandum dated 1st June, 1964 ("B") informed Ramgirkar that the claims made by him were vague and, "unless we are given specific facts giving the exact nature of work performed for which special allowance is being claimed and the relevant provisions of the Award in terms of which it is claimed, it is impossible for us to weigh your claim. Therefore, you are hereby required to give full details in support of your claims". He was further asked to state the circumstances in which he was unable to place the relevant facts concerning the claim. He was in conclusion asked to submit the statements within a week.

13. Ramgirkar on 4th June, 1964, submitted a "list of routine work and statement along with his letter of that date ("C"). He stated that he was performing the duties and responsibilities as per the annexed list, which showed that he had to sign documents, e.g. Demand Drafts, T/T's, M/T's, Cheques issued on SBI, FBR, STR, Call DEP receipts, Pay Orders and inter-branch Triplicate Advises, etc.,

that he was signing all the above documents as a second signatory by virtue of power of the attorney granted to him by the Bank, and that in doing the work enumerated he was holding himself responsible equally along with the Agent. He further stated that in addition he was discharging other duties, viz., discharging Cash Receipts on behalf of the Bank to pass the payment of vouchers as well as cheques and SB withdrawals on behalf of the Bank, checking the Bank Books and relevant statements and signing them; that in all this work he was holding himself responsible singly as well as jointly. He further stated that as this work was of a responsible nature he was entitled to allowance under Item 18 under Para 5.282 of the Desai Award. He explained the delay in making his claim by stating that the Bank released the benefit of the pay-scales etc. under the Desai Award sometime in December, 1964, with retrospective effect from 1st July 1963, and that he had waited hoping that the management would voluntarily give him the allowance, and when this hope did not materialise, he had made the claim. To this, the Bank replied by its memorandum dated Nil Ref. No. AXI/ST/280 ("D") in which it stated that it appeared Ramgirkar was claiming allowance for supervisors, but that on going through the list of duties furnished by Ramgirkar it seemed to the Bank that none of the duties involved an element of control, supervision or direction over those placed under him, and that in fact it appeared that Ramgirkar did not have any subordinate staff at all under him, and he was asked to comment thereon. The Bank also filed the agreement in conciliation entered into at Nagpur on 25th February 1959 (Ex. "E") between the Bank of Nagpur Ltd., and their workmen, and has drawn attention to clause (9) wherein it was stated that the Union's representatives agreed not to raise any dispute regarding the implementation of any other provisions of the Award, the Award being the Sastry Award. Annexure 'F' consists of copies of orders issued from time to time by the Bank from its registered office in Poona, in which Ramgirkar was along with D.L. Oza Treasurer of the Hinganghat Branch, deputed to conduct the Hinganghat Branch in the absence of the Agent and sign D.D's, T/T's and M/T's jointly on behalf of the branch on those days. The Union had also relied on two memoranda issued by the Bank dated 18th June, 1964 and 30th November, 1964. The memorandum dated 18th June, 1964 relates to increasing powers to be conferred on Junior Officers with a view to bring them to the forefront to fulfil higher responsibilities and gain experience, training and confidence through work. The memorandum then goes on to refer to the various duties which these Junior Officers should be authorised to perform. The letter also refers to duties of Junior Assistants and it stated that they should be entrusted with light supervisory work such as checking Savings Banks Ledgers, Bank's Books, Products Registers, Transfers, etc. after the person concerned has put in at least six months service and has acquired sufficient experience relating to the particular line to justify his being so authorised. The memorandum dated 30th November, 1964 is also addressed to all branches from the registered office at Poona asking for the duty list of the members of the supervisory staff at all branches. This information was required for assessing the workload assigned to each officer, and therefore, branches having no officers other than the Agent were not required to supply the information called for. The memorandum also calls for information with regard to what arrangements are made when any of the Officers is on leave and as to whether work is distributed in such a situation. The Union has finally relied on a memorandum dated 11th September 1964, from the Agent, Hinganghat Branch, by which Ramgirkar was authorised to proceed to Thanggaon by the evening train for representing the Bank in the execution of a commission in Case No. 2B of 1951, and to the fact that in that connection he was handed over the Power of Attorney issued in his favour. These documents have been relied upon by the Union to show that Ramgirkar was justified in claiming the special allowance for supervisors prescribed under Item 18 under Para 5.282 of the Desai Award.

14. I may as well at this stage refer to the provisions contained in both the Sastry and the Desai Awards with regard to special allowance.

15. The Sastry Award Para 164(b) under Item No. 9 prescribed special allowance for:

"supervisors, superintendents, sub-accountants, Departmental in-charges, Employees in charge of Treasury, Pay-Offices, of Rs. 50/- and Rs. 45/- per month in A and B banks respectively".

The Desai Award followed the system of the Sastry Award in prescribing a common scale of pay for the clerical staff and rejecting the Unions' demand for higher scales of pay for a better qualified workmen amongst clerks, head-clerks, passing officers, head-cashiers and stenographers etc. but granted them



In the Lipton Ltd., vs. Their Workmen, 1956 (1) LLJ, 319, on page 326, Col. I & II, it was held:

"Supervisors, Superintendents and Sub-Accountants, Departmental incharges, of Rs. 65/- and Rs. 60/- in A and B class Banks respectively."

I may pause here and state that the Bank of Maharashtra was a 'B' class Bank until 1st January, 1965 after which it has become an 'A' class Bank.

16. Since the duties performed by Ramgirkar relate to the Hinganghat Branch it is necessary to give the set-up of that branch. The branch had a total strength of the following four employees:—

Number of Posts	Designation	Name of Employee
1.	Agent	Shri Bongirwar
2.	Cashier	Shri D. L. Oza
3.	Clerk	(1) Senior Clerk, Ramgirkar, (2) Jr. Clerk Shri Wadekar.
4.		

17. The provisions of Para 164(b) of the Sastri Award have come in for judicial interpretation in a number of judgments of the Hon'ble Supreme Court and as the provisions of para 5-282 of the Desai Award are almost identical with those of para 164(b) of the Sastri Award, both parties have referred to those judgements. The Bank has in opposing the claim of Ramgirkar for a special allowance relied heavily upon the decision of the Honourable Supreme Court in the case of the Punjab National Bank Ltd., and their workmen and another (1961, 11 LLJ, page 162). This decision refers to the direction contained in respect of category 9 in para 164(b) of the Sastri Award. In this case, the employee working as a Saving Fund Teller made a claim for special allowance payable to a supervisor on the ground that he was performing the duties of a supervisor. Evidence regarding the duties performed by the concerned employee did not show that his work had any element of supervisory character. The fact that his work was the responsible, onerous and important was held to be irrelevant for considering the issue in question in view of the fact that the Teller had no clerk working under him and that he had not been assigned duties of supervising the work of anybody else in the office. On these facts it was held that the Teller was not entitled to a Supervisor's allowance, under Item 9 of Para 164(b) of the Sastri Award.

18. The Union, on the other hand, has relied on the case of Lloyds Bank Ltd. versus Panalal Gupta and others (1961 I LLJ, page 18). That case involved the question whether three employees in the Audit Department of New Delhi branch of Lloyds Bank Ltd. were entitled to the special allowance of Rs. 50 per month as prescribed by para 164(b) of the Sastri Award, as modified by Sec. 3 of the Industrial Disputes (Banking Companies) Decisions Act, 1955 (Act 41 of 1955). The Lloyds Bank had contended before the Industrial Tribunal that considering the nature of the duties performed by the employees in question, they could not be considered supervisors falling within category 9 of para 164(b) of the Sastri Award. The Industrial Tribunal, however, held that the concerned employees discharged the functions of "supervisors entitling them to ask for the special allowance prescribed by para 164(b) of the Sastri Award." The Bank being aggrieved by the Award of the Tribunal moved the Honourable Supreme Court by special leave under Article 136 of the Constitution. The Supreme Court held that officers who have administrative control and could therefore be regarded as supervisors were outside the purview of the Award, and that before a clerk could claim a special allowance under para 164(b) of the Sastri Award his work must appear to have some element of a supervisory character. Their Lordships held that "a person claiming the status of supervisor in clause 9 of para 164(b) of the Sastri Award normally has to supervise the work of some others who are in essence below him. In considering the status of an employee the designation is not sufficient. What determines the status of an employee is the consideration of the nature and the duties of the workmen concerned." Their Lordships after summarising the duties performed by the three employees of the Audit Department held that, "the conclusion of the Industrial Tribunal that the work and duties performed by the concerned employees were of a supervisory nature must be held to the obviously or manifestly erroneous." Most of the duties related to checking of entries, balances,

etc. in the Bank's accounts maintained by the Bank. Their Lordships observed, "Checking up work is primarily a process of accounting and the use of the work "Checking" could not be permitted to introduce a consideration of supervisory nature. The work of checking the authority of the person passing the voucher or to enquire whether the limit of authority has been exceeded is also no doubt work of a checking type, but such checking is purely mechanical, and it could not be said to include any supervisory function. Such employees could not be said to be doing the work of internal auditing. Audit in the sense in which the word "internal audit" is understood is very different from the work of checking which is entrusted to the clerks in the audit department. It would be legitimate to say that work done in the audit department is important for the proper and efficient functioning of the bank, but it would be idle to elevate that work to the status of officers who supervise the work of everybody concerned with the bank's establishment."

19. The reliance of Shri K. K. Mundul for the Union on the decision in the case of Llyods Bank Ltd., *versus* Panalal Gupta and others is for the observation therein contained that what is important is not the designation but the duties performed.

20. But more than on this case Shri K. K. Mundul has relied upon the decision of the Honourable Supreme Court in the case of the Canara Bank *versus* Arant Narayan Sirkund and others (1963 II LLJ, page 343). In that case also the question that fell for decision was the interpretation of the provisions of para 164(b) of the Sastry Award which provided for payment of a special allowance to cashiers in charge of cash in pay-offices. The facts of the case were that the evidence on record showed that the paying-cum-receiving clerk employed at one of the branches of the Canara Bank Ltd. used to receive first thing in the morning the amount in the single lock-box and such other sums as might be withdrawn from the double lock-box. He had to carry on both receiving and paying transactions during the course of the day with the help of the cash put at his disposal in the morning, but at the end of the day he had to account for it. On the evidence on record it was held that the concerned clerk was in charge of the cash at the bank. The reference to charge of cash under 164(b) of the Award would only mean such charge as is effective i.e. during the day while transactions are going on in the Bank. The said provision speaks of each only. It does not speak of charge of securities, jewellery etc. The concerned employee could not be specified a routine clerk who is excluded from the benefit at para 164(b) of the Award. He was the same clerk in the cash department doing both receiving and paying work. He had to take charge of the single lock-box in the morning and was responsible for it throughout the day and he had to make over the charge of the said box in the evening when the bank closed for the day. Shri Mundul has relied on this decision of the Supreme Court for his contention that the supervisor's allowance is payable under the Sastry Award as well as under the Desai Award on the footing of additional skill and responsibilities, and that it is not necessary element in the duties of the workman to be entitled to the claim of payment of supervisory allowance that he should exercise direction and control over the staff under him.

21. It is in the light of the principles laid down in these decisions that the question, whether on the duties performed by Ramgirkar in the Hinganghat Branch of the Bank, he is entitled to the payment of the special allowance prescribed by Item 18 of Para 5.282 of the Desai Award, must be decided.

22. Shri Mundul has argued that the duties mentioned in Ramgirkar's letter dated 4th June, 1964 (C) were not denied or contradicted by the management, but that the management's contention was that these duties do not have any element of control and direction over the work of other clerks under him. Shri Mundul has frankly stated that he does not base his claim for the supervisory allowance on the ground that Ramgirkar has to supervise the work of a clerk subordinate to him but that his claim is based on the fact that the duties performed by Ramgirkar require an element of additional skill and responsibility than are discharged by an ordinary clerk. He has in support relied upon the observation in para 162 of the Sastry Award where it was observed in dealing with the subject of special allowance as follows:—

"We think it is but right that person with special qualifications or skill required for discharging work carrying with it greater responsibilities than routine work should definitely have higher emoluments than an ordinary workman."

He has further argued that Ramgirkar does not have any of the nomenclatures mentioned in Item 18 of Para 5.282 of the Desai Award, and that his claim to the

special allowance is based on the skill and responsibility which he brings to bear on the duties which he has been discharging. He has in that connection referred to the exercise of the power of attorney granted by the Bank of Nagpur in Ramgirkar's favour and of his having continued to exercise that power till 20th November, 1964. He has also laid emphasis on the fact that in the absence of the Agent, Ramgirkar and Oza were put in charge of the Hinganghat Branch by the memorandum dated 19th February, 1964 and that Ramgirkar and Oza were to conduct the Hinganghat Branch and were jointly to sign D.D.'s, T.T.'s, M.T.'s etc. He has referred to the memorandum dated 18th November, 1964, by which the Agent, Bongirbar was asked to sign singly, and submitted that this showed that the authority to sign on behalf of the Bank was given only to persons who were to discharge more than routine responsibilities. He has, in that connection, also referred to the letter of 29th April, 1965, by which the new Agent of the Hinganghat Branch was authorised to sign jointly with Ramgirkar. He has stated that the power of attorney granted by the Bank in favour of Bongirbar as also the one in favour of Ramgirkar gave the same authorities to both in the same terms and other banks at different places had stamped these powers of attorney with their seals, indicative of Ramgirkar having exercised powers of an attorney on behalf of the Bank. Shri Mundul has also referred to seven different statements of accounts in the Hinganghat Branch which, according to him, Ramgirkar had to sign, thereby accepting responsibilities for their correctness. The seven statements relate to (i) centralised office accounts statements which are signed jointly by Ramgirkar as senior clerk and Shri Bongirbar, Agent, (ii) statement of sundry debtors signed by both Ramgirkar and the Agent (iii) annual statement of charges—certification of expenses of the branch—also signed by both the Agent and Ramgirkar (iv) statement of reconciliation—amounts of money deposited into and withdrawn from the Bank monthwise (v) Bills discounted—signed by both the Agent and Ramgirkar (vi) Branch's Profit and Loss account Statement, also signed by both the Agent and Ramgirkar (vii) Statement of salary, also signed by Ramgirkar as senior clerk with the Agent. Now, with regard to these seven statements, Shri Juvekar for the Bank has pointed out that these are by themselves not independent statements. They are copied from certain books and all are not signed by Ramgirkar. Some are signed by the Agent. The Bank's contention was that all these statements are prepared by Ramgirkar in his capacity as a clerk in his Bank and not in token of any authority vested in him. In other words, this work is merely one of checking. This seems to be a reasonable explanation, because otherwise the Agent's signature would not be required on these statements as appears to be the case in respect of the majority of these seven statements which are compiled from entries made in different books maintained in the ordinary course of business of the Bank.

23. However, the other duties discussed below mentioned by Shri Mundul have an element of greater responsibility. Shri Mundul has stated that the Demand Draft Issue Register has also been countersigned by Ramgirkar under the column "Accountant", and that the two signatures indicated that the Demand Draft Issue Register itself was signed by both the Agent and Ramgirkar. Shri Juvekar's explanation on this was that the Register was commenced when the branch was with the Bank of Nagpur Ltd., and the Register was thereafter continued by the Bank of Maharashtra Ltd. He stated that every day the Register is checked by the Agent, who signs it and that Ramgirkar has put his initials on the Register because he had made the entries in it. But the fact remains that Ramgirkar's signature appears to have been put under the column "Accountant", which in fact showed his acceptance of the responsibilities of the entries in the register.

24. The next Register which Ramgirkar prepares is the Supplementary or Subsidiary Register for "Cash/Credit Accounts", which is signed by both the Agent and Ramgirkar. The Bank's position with regard to this Register was the same as with regard to the Demand Draft Issue Register, and Shri Juvekar pointed out that the other clerk Wadekar has also signed this Register when he made the entries and that Cashier Oza's signature also appeared in the Register and that other persons who prepared the entries have in their turn also signed this Register.

25. The next duty of Ramgirkar to which Shri Mundul drew attention was that the current and savings accounts are also signed by both Ramgirkar and the Agent in which entries the signature of Ramgirkar also appears as Agent when he had acted as such. The Bank has pointed out that certain entries in this also bear the signature of Wadekar. To an enquiry from me the Bank's representative fairly stated that the practice for the senior clerk to sign the current and saving bank accounts did not obtain in other branches of the Bank.

This admission, together with the next admitted duty to which reference was made, viz., that Ramgirkar had authority to sign cheques on the account of the Bank of Maharashtra Ltd. with the State Bank of India, establishes that Ramgirkar was doing very responsible and important work. It appears that Ramgirkar had the power to operate the account and he used to sign the cheques jointly with the Agent of the branch and that it was admitted at the hearing that under such joint signatures such a large amounts as of Rs. 50,000 was withdrawn at a time (See Cheque dated 20th May, 1964). The Bank stated that only a few cheques had thus been signed by Ramgirkar. It was further admitted that the other clerk Wadekar has not operated this account, and that Ramgirkar operated this account only in exercise of the powers of attorney which the Bank had given him. In this connection, it is relevant to state that the Bank of Maharashtra Ltd. has in all 98 branches including 13 branches that came to it along with the Bank of Nagpur Ltd. and that the cheques on the State Bank of India signed by Ramgirkar are cheques of 1964, whilst the merger was of 27th March, 1961. It is admitted that senior clerks in none of the other branches of the Bank signed cheques or operated the State Bank of India account as Ramgirkar was doing along with the Agent. In this connection, Shri Mundul has laid emphasis on the fact that it was only after the dispute was raised on 18th November, 1962, that the Bank changed the practice of double signature of the Agent and some other persons, Senior Clerk or Cashier, to operation by the single signature of the Agent.

26. The next item of duty to which Shri Mundul has referred is that the deposit receipts—fixed, short-term, and other deposits—are signed by the persons who have Power of Attorney from the Bank and that one such receipt signed by Ramgirkar was of so large an amount as Rs. 5,000/-.

27. The last fact stressed by Shri Mundul was that Ramgirkar had acted as Agent of the Branch at Hinganghat in the absence of Shri Bongirbar, as in May, 1965.

28. He has, therefore, relied upon the observation of the Supreme Court in the case of *Lloyds Bank versus Panna Lal Gupta and others* (1961, 1 LLJ, page 23) where their Lordships observed as follows:—

"It is, however, clear, and it is not disputed, that even if the three workmen do not by name or designation fall in the said category they would nevertheless be entitled to claim the special allowance if it appears that the duties performed by them and the functions discharged by them are similar to or the same as the duties or functions assigned to persons falling in that category, i.e., the principal question which the tribunal had to decide was whether having regard to the duties and functions assigned to these three workmen, they can claim the status of clerks falling in category 9."

Shri Mundul has argued that the passage at page 23 of this decision on which the Bank has relied, where their Lordships had observed:—

"In other words, the person claiming the status of a supervisor in clause 9 should normally have to supervise the work of some others who are in essence below him."

implied that the supervision of the work of others was not a condition precedent but that it was one of the duties which would entitle the workman to the supervision allowance. He has also sought to argue that there was an element of supervision in the work of Ramgirkar. He has stated that though the cashier pays out the cash, Ramgirkar is the person who is the certifying authority, and in that sense the cashier was under him. Similarly, when the senior clerk gives a discharge for the cash receipts, he having the authority of signing and putting the rubber stamp on the receipt, he was exercising supervision because the cash was not received by him but by somebody else and yet he gave the discharge on behalf of the Bank. He stated that cancelling the signature of the clerk who receives a charge is supervision of the clerk. Similarly, with regard to cash withdrawals, he emphasised the fact that this was a small bank in which at the end of the day Ramgirkar happened to be one of the persons who took the responsibility for the work done. He has sought to draw a distinction between the checking work done by Ramgirkar and the type of checking work done by the three workmen in Panna Lal Gupta's case and his submission has been that Ramgirkar's work is far more responsible than the checking work discussed in Panna Lal Gupta's case.

29. After an anxious consideration of the submissions made by the parties and the documentary evidence on record, I have not the least doubt in my mind

that Ramgirkar has certainly been doing more responsible and skilled work than the routine work of a clerk. The fact that he was granted the power of attorney and that he was exercising the powers thereunder as a second signatory till 18th November, 1964 when the Bank, after this dispute was raised, changed the practice to that of single signatory, coupled with the fact that he operated the Bank's account with the State Bank of India, albeit as a joint signatory with the Agent, and operated that account in such large sums as Rs. 50,000 at a time, all showed that he was exercising duties and responsibilities far higher than the routine duties of a mere clerk. It may be that he signed only a few cheques in such large sums, but the fact remains that of the two clerks in the Hinganghat Branch only he could sign those cheques and operate the State Bank of India's account. The more important fact is that in no other branch of the 98 branches of the Bank any senior clerk has acted even as a second signatory for the purpose of operating the Bank's account with the State Bank of India. These duties along with the duties of signing the various documents, D.D.'s, T.T.'s, M.T.'s, cheques issued on State Bank of India, and the various other registers, i.e. Demand Draft Issue Register, Supplementary or Subsidiary Register, Current Savings Accounts, clearly establishes that he was doing work and discharging duties of a very much more responsible nature than work of a routine clerk. In fact, his duties were so responsible that he was considered even competent enough to discharge along with the cashier the duties of the Agent for the Hinganghat Branch during the Agent's absence. All this showed that he had the necessary skill and experience of handling the most responsible duties of the Branch.

30. The Sastry Tribunal has explained the underlying principles of providing a special allowance in para 164(b) of its Award, where it observed:—

"We think it is right that the persons with special qualifications or skill required for discharging work carrying with it greater responsibilities than routine work should definitely have higher emoluments than an ordinary workman."

Having laid down this principle in justification of the provisions for higher emoluments, it proceeded to secure it for such deserving workmen, including clerks, by provisions of special allowances.

31. The Desai Tribunal has with regard to special allowance followed the principles laid down by the Sastry Award, and has in fact, as far as the provisions of supervision allowance are concerned, by Item 18 of para 5.282 of its Award, made an identical direction, as made under item 9 of the para 164(b) of the Sastry Award, with regard to supervision allowance.

32. But the point to be decided in this case is whether, having held that Ramgirkar is discharging higher duties and responsibilities than the routine duties of a clerk, can it be said that he is discharging supervisory duties under item 18 of para 5.282 of the Desai Award. Now, as noticed earlier, the meaning to be attached to "supervisory allowance" under item 9 of para 164(b) of the Sastry Award has come in for consideration by the Honourable Supreme Court in the case of the Punjab National Bank Ltd. and their workmen and another (1961, II LLJ, page 163), where their Lordships have clearly laid down:—

"Evidence regarding the duties performed by the concerned employee did not show that his work had any element of supervisory character. The fact that his work was responsible, onerous and important was held to be irrelevant for considering the issue in question, in view of the fact that the Teller had no clerk working under him, and he had not been assigned duties of supervising the work of anybody else in the office."

Their Lordships therefore held that the concerned teller was not entitled to a supervisory allowance under item 9 of para 164(b) of the Sastry Award. It is significant to note that this decision refers to the earlier decision in the case of *Lloyds Bank versus Panna Lal Gupta and others* (1961 I LLJ, page 162), to which Shri K. K. Mundul has referred. I do not think that there is any analogy between the facts of the instant case and the facts of the case of *Canara Bank versus Shri Anant Narayan Sirkund and others* (1963, II LLJ, page 343), relied upon by Shri K. K. Mundul. That was a case of a paying-cum-receiving cashier of the branch being in charge of the cash in the bank from the time the bank was opened for the day till it closed at the end of the day, and he was, therefore,

held to be entitled to the allowance of a cashier in charge of cash in pay-offices under para 164(b) of the Sastri Award.

33. Now, since there is little doubt that there is no one under Ramgirkar, whose work he (Ramgirkar) was or is supervising, it must, on the authority of the cases cited above, be held that Ramgirkar was not doing supervisory work, though, as I have stated earlier, there is not the least doubt in my mind that the duties he was discharging were of a more responsible nature than the routine work of a clerk, and he was also bringing to bear in the discharge of his duties considerable skill and experience. The question to be decided is, however, whether he was doing supervisory work, and in the absence of any other workman under him, whose work he could be said to be supervising, it must, on the principle laid down by the Honourable Supreme Court in the case of the Punjab National Bank Ltd. and their workmen and another (1961 II LLJ, page 162), be held that he was not doing supervisory work, and therefore, is not entitled to the special allowance under item 18 of para 5.282 of the Desai Award.

34. However, there is not the least doubt that Ramgirkar was and is discharging much higher and responsible duties than the routine duties of even a senior clerk, and in my opinion he has a just claim for payment of some extra allowance to him. Unfortunately for him, his claim fails because it cannot come under clause 18 of para 5.282 of the Desai Award because there is no workman under him in the small branch at Hinganghat, which has only a total complement of four, including the Agent and the Cashier, whose work he can be said to be supervising. But bearing in mind the underlying principle for the provision of a special allowance, as stated in para 164(b) of the Sastri Award cited above, and the following observation contained in para 5.292 of the Desai Award:—

“The special allowances hereby provided are by way of minimum. It is open to any bank to provide higher special allowances. It is also open to a bank to provide a special scale of pay for any category of workmen in lieu of the scale of pay and special allowance provided by this Award provided the total remuneration consisting of basic pay under such scale and dearness allowance is not less than what is provided by way of basic pay, special allowance and dearness allowance under this Award.”

I feel I would be failing in my duty if I did not recommend to the Bank that in my opinion, considering the responsible duties performed by Ramgirkar, it appears to me that his is a fit case for the grant of some special allowance to him commensurate with the nature of the responsible duties he was and is discharging.

35. No order as to costs.

(Sd.) SALIM M. MERCHANT,  
Presiding Officer.

[No. F. 51(64)/64-LRIV.]

**S.O. 2969.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Hyderabad in respect of an industrial dispute between the management of the Salem Bank Limited, Salem and their workmen which was received by the Central Government on the 13th September, 1965.

**BEFORE THE HON'BLE INDUSTRIAL TRIBUNAL, ANDHRA PRADESH,  
HYDERABAD**

**PRESENT :**

Dr. Mir Sladat Ali Khan, M.A., LL.B., Fazal (Osm); B.C.L., (Oxon); D.Phil., (Oxon); Bar-at-Law; (Lincoln's Inn) (London); Chairman. Industrial Tribunal, Andhra Pradesh, Hyderabad.

**INDUSTRIAL DISPUTE No. 36/1965**

**BETWEEN**

**Workmen of Salem Bank Limited, Salem.**

**AND**

**The Employers (Management) of Salem Bank Limited, Salem.**

**APPEARANCES:**

Messrs. S. Krishnamurthy and S. Nagarajan. Secretary and President respectively of the Salem Bank Employees Union, Salem—for the workmen.

Mr. C. N. Laxminarsimham, Inspector of the Salem Bank Ltd., Salem—for the employers.

**AWARD**

By Government of India, Ministry of Labour & Employment's letter No. 51(16)/65 LRIV, dated 31st May 1965, to hand on 5th June 1965, the industrial dispute between the employers of the Salem Bank Ltd., and their workmen was referred for adjudication with the following issue framed in the Schedule thereto viz.,

"Whether the Management of Salem Bank Ltd., was justified in terminating the services of S. Shri H. Kannan, probationary clerk of the bank with effect from 16th February 1965? If not, to what relief is the employee entitled?"

2. The reference was registered here as industrial dispute No. 36/1965. The parties got ready only on this hearing of 2nd September 1965. The workmen produced only one witness. Some documents on either side were filed. Arguments were heard and I am proceeding to dictate the award immediately.

3. The stand of the employer is that the employer has the undoubted right not to confirm any probationer and remove him. In Kannan's case there were sufficient reasons also. He was always applying for leave and was also inefficient. For this opinion of the employer the Industrial Tribunal is not a court of appeal. Moreover, when Kannan was appointed a probationer, he executed a contract of service, Ex. M-6, on 6-11-1963. Paragraph 2 of its terms was to the effect that his services could be terminated by one month's notice. He was removed under that contract. When he was removed he was still a probationer and his services were not confirmed. Thus, owing to all these reasons and also to the reason that, the Desai Bonus Award does not apply to this bank, the removal was fully justified.

4. I considered the above contentions of the employer carefully. The contention that Desai Award does not apply to Salem Bank is not correct. Paragraph 1.2 of the Desai Award read with paragraph 12 on page 14 will show that the Desai Bonus Award apply to all such banks as carry on business in more than one state and their names are mentioned in Schedule-I. Both these conditions were admitted before me. The representative of the employers Sri Lakshmi Narsimham admitted that the bank carries on business in Madras and Mysore States and that the name of the Salem Bank is mentioned at serial 51 of Schedule-A to the Desai Bonus Award. Under paragraph 21.17 on page 279 of the said award it was held that probationers after the expiry of the period of six months should be deemed to have been confirmed, unless their services were dispensed with on or before the expiry of the period of probation. It was also clear that the Desai Award applied to the Salem Bank from 1-1-1964. Six months from that date were over on 30th June 1964. The bank removed him from 1-2-1965, after giving him a notice of one month on 1-1-1965. It is, therefore, clear that on that date Kannan was not a probationer under paragraph 21.17; by the operation of that paragraph he was a permanent employee of the bank from 1-7-1964.

4(1). I pass on to the contention of the employer that he has a right to remove a probationer without confirming him and that the Industrial Tribunal cannot sit in appeal over the said discretion of the employer. I have already stated above that, under the provisions of the Desai Award, Kannan was not a probationer. It is, therefore, evident that this contention has no force. I concede that even a permanent employee can be removed for good reasons. Even so, the industrial tribunal can go into the sufficiency of the reasons for the removal. The Buckingham & Carnatak Mills Ltd., vs. Their workmen, 1951 (II) LLJ, 314, examined this position carefully and found that the common law right of an employer to discharge or dismiss an employee, or, what is popularly known in some countries as the right "to hire and fire" has been subjected to statutory restrictions and enumerated certain fundamental principles, viz.,

- (1) that an industrial worker must be placed in such a position that the security of his service may not depend upon the capricious or arbitrary will of the employer;
- (2) that industrial peace should be maintained; and
- (3) that industries should be efficiently managed.

to the Lipton Ltd., vs. Their Workmen, 1956 (I) LLJ, 319, on page 326, Col. I & II, it was held:

"The common law right of an employer to discharge or dismiss an employee has been subjected to statutory restrictions and some fundamental principles. Thus, even in a case where under the standing orders it is permissible to terminate the services with one month's notice or payment in lieu thereof without assigning any reason, it is not open to an employer to exercise this power in an arbitrary or capricious manner and the bona fide as well as the justifiability of his act could be gone into. It would be incorrect to say in such a case that the action of management must be upheld without enquiring into the reasons or the justifiability thereof."

A careful perusal of the above pronouncements of the Labour Appellate Tribunal will show that, though I do not claim to sit in appeal over the discretion of the employer, still I can examine the justifiability and the reasonableness of the removal. I propose to do the same. The record will show that what agitated the mind of the employer was that Kannan was applying for leave too frequently and that was causing, according to him, dislocation of work. When he first applied for confirmation the employer told him by Ex. M-7 dated 13th June 1964 that 'you are taking leave too frequently. Can you assure the employer that you will work continuously'. Ex. M-8 will show that Kannan assured the employer accordingly and, applied again for confirmation on 28th June 1964. The employer directed him by Ex. M-10 dated 11th September 1964 that as he was applying frequently for leave, he should supply a certificate from Dr. Mahadevan as to his fitness. Ex. M-12 was Dr. Mahadevan's certificate of suitability. He wrote therein that he does not find in him any infirmity and that he is fit for work. By Ex. M-13, dated 12th October, 1964 the Secretary of the Bank Sri Srinivasan inquired from the Shivpet Branch where Kannan was posted whether he is really ill or he wants to avail of all the leave he is entitled to and whether he has left any work undone. After a reminder or two to the Manager of Shivpet branch, the reply was that his frequent leave applications caused dislocation of work and that he has not completed the ledger work for over a month. The representative of the employer also showed me the original of the Directors orders. They were to the effect that Kannan was suffering from asthma and where was the use to keep him when in the next winter he will again fall a victim to asthma.

4(2). The above will show that the real grouse of the employer was his applying for leave too frequently. It is pointed out that even after giving the assurance by Ex. M-12 dated 16th July 1964 that he will work continuously Kannan, within the next 3 days, applied for 18 days leave on 19th July 1964. The representative of the employer contended that this showed that he was not reliable. Kannan went into the witness box and he was asked the reason for the same. He stated that he caught influenza and was suffering much from the same. I examined the leave record of Kannan also in the presence of the representatives of the parties. Admittedly he had not exhausted the leave he was entitled to. Ex. M-2 shows that he had still  $1\frac{1}{2}$  days casual leave and  $3\frac{1}{2}$  days privilege leave to his credit. I considered the list of his casual leave. Ex. M-23. With a few exceptions he worked continuously for more than 11 months. From 12th October 1963 till 18th September 1963 he took the following leave: on 12th October 1963 he took half a day leave. Then, on 8th January 1964 he took 1 day's casual leave. He did not take any more leave in January 1964. In February and March 1964 each he took five and four days leave & in April 1964  $2\frac{1}{2}$  days leave only and then till 8th October 1964 he took only  $1\frac{1}{2}$  days casual leave. In October 1963 he took 3 days privilege leave. In November 1963, 6 days privilege leave and then till 18th September 1963 he took only  $8\frac{1}{2}$  days privilege leave. Thus, the total of casual leaves in about a year have come to  $13\frac{1}{2}$  days and that of privilege leave  $17\frac{1}{2}$  or 31 days in all. It appears to me that on this record it is not easy to agree with the employer that he was always taking leave too frequently. Moreover, all the leaves he took were not on the ground of illness but was always for attending to uncle's son niece's and other marriages and for going to Tirupati. The decisive point is that he availed of all the leave within the amount he is allowed. He appeared before me. He is a young man of 22 years and a picture of health. The fact that he was suffering from asthma is against Dr. Mahadevan's medical certificate and also his own deposition. He deposed that he never suffered from asthma. The reason why the employer considered him to be suffering from asthma was the statement made by his father and recorded by some officer of the bank when one of the leave petitions was presented by his father. This will show that what weighed with the directors was not really correct. In the domain of employers rights I do not like to tread. But as the law empowers me to do so, I paused and



reflected whether the employer was correct in removing him on the ground of ill-health. Dr. Mahadevan's certificate, his age of 22 years and his healthy appearance inclined me to disagree, especially when the assumption of his suffering from asthma was without good reasons. Regarding inefficiency, I concede that I am no judge; it is the employer who is the judge. But, except for the opinion of the branch manager that his too frequent applications for leave dislocated the work and that the work of the ledger was pending for more than a month, nothing else is shown; and it should be noted that the manager of the Shivpet branch did not complain of this suo motto. He reported after the Secretary of the Bank Sri Srinivasan wrote to him more than once and the only thing shown in the report was that the posting was delayed. It appears, however, that the posting of the ledger was not the work of Kannan only. The posting is done by more than one person. Thus, the only instance of delaying the work does not cast sole responsibility upon Kannan only. In short, on careful consideration, I feel that removal of Kannan was not justified. Before directing his reinstatement I may state also that I put the fear of God into the mind of Kannan that going to marriages or going to pilgrimages should be avoided as duty comes first and Enarat expects every one to do his duty. He should put duty before everything else and should not, when the employer feels that he is asking for leave even though within the allowed limit, ask for leave frequently. He should make it a point to avail of even the entitled leave as little as possible and the young fellow readily promised. The Union also promised to see that that will be done. I, therefore, direct his reinstatement from the date of his removal with continuity of service but with half backwages, as, no evidence was produced before me that during this period he was unemployed and did not earn anything otherwise.

Award accordingly, given under my hand and the seal of the Court, this the 3rd Day of September, 1965.

(Sd.) M. S. ALI KHAN,  
Industrial Tribunal.

*List of witnesses examined for :*

*Workmen :—*

W. W. 1 : Shri H. Kannan . . . . . Nil.

*Employer :—*

*List of documents marked for Workmen :*

- |           |           |   |
|-----------|-----------|---|
| Ex. W1 :— | . . . . . | Proceedings of the Secretary, The Salem Bank Ltd., No. 19236/1 dated 1-11-1962.   |
| Ex. W2 :  | . . . . . | Proceedings of the Secretary, The Salem Bank Ltd., No. 15080/1 dated 7-10-1963.   |
| Ex. W3 :  | . . . . . | Letter dated 6th April 1964 from H. Kannan, workmen, addressed to the Secretary, The Salem Bank Ltd., (herein after referred to as the Bank).   |
| Ex. W4 :  | . . . . . | Letter No. 12929/1 dt. 11-9-64 from the Secretary of the Bank addressed to Sri H. Kannan.   |
| Ex. W5 :  | . . . . . | Certificate of physical fitness issued by Sri K. Mahadevan dt. 16-9-64 relating to Sri H. Kannan.   |
| Ex. W6 :  | . . . . . | Order No. 724/1 dt. 16-1-65 issued by the Secretary of the Bank issued to Sri H. Kannan.  |
| Ex. W7 :  | . . . . . | Letter dt. 29-1-65 from Sri H. Kannan issued to the Secretary of the Bank.  |
| Ex. W8 :  | . . . . . | Letter No. 1877 dt. 15-2-65 from The Secretary of the Bank addressed to Sri H. Kannan.  |
| Ex. W9 :  | . . . . . | Letter dt. 18-1-65 from Sri K. Kannan addressed to the Secretary of the Bank.   |
| Ex. W10 : | . . . . . | Letter No. SBEU. 228/64-65 dt. 29-1-1965 from the Secretary of the Bank Employees Union addressed to the Secretary of the Bank.   |
| Ex. W11 : | . . . . . | Letter No. 1882 dt. 15-2-65 from the Secretary of the Bank to the Secretary of the Union.   |
| Ex. W12 : | . . . . . | Letter Ref. : SBEU. 242/64-65 dt. 17-2-65 from the Secretary of the Salem Bank Employees Union (hereinafter and after referred to as the Union) addressed to the Regional Labour Commissioner (Central) Madras-7. |
| Ex. W13 : | . . . . . | Letter No. M. 107(17)/65 dt. 4th March 1965 from the Regional Labour Commissioner(C) addressed to the Secretary of the Bank as well as the Secretary of the Union.  |
| Ex. W14 : | . . . . . | Letter No. M-107(17)/65 dt. 6th April 65 from the Regional Labour Commissioner (C) to the Secretary of the Union.   |

- Ex. W15 : . . . Letter dt. 8-4-65 from the Secretary of the Union to the Regional Labour Commissioner(C), Madras.
- Ex. W16 : . . . Letter No. M. 107(17)/65 dt. 10-4-65 from the Regional Labour Commissioner of Labour (C) to the Commissioner of Labour (C) New Delhi.
- Ex. W16(A) : . . . Leave record of Shri H. Kannan.
- Ex. W17 : . . . Do.
- Ex. W18 : . . . Letter No. 51(16)/65/LRIV dt. 20-4-65 from the Section Officer, Ministry of Labour & Employment, New Delhi to the Secretary of the Bank as well as the Secretary of the Union.
- Ex. W19 : . . . Constitution Rules & Bye-laws of the Salem Bank Employees Union along with a covering letter.
- Ex. W20 : . . . Letter No. 7620 dt. 13-5-64 from the Secretary of the Bank to the Secretary of the Union.
- Ex. W21 : . . . Copy of application of Sri H. Kannan dt. 2-11-63 for membership addressed to the Secretary of the Union.

*List of documents marked for Employers :-*

- Ex. M1 : . . . Application of H. Kannan dt. 21-8-1962 for appointment addressed to the Bank.
- Ex. M2 : . . . Proceedings of the Secretary of the Bank dt. 1-11-62.
- Ex. M3 : . . . Joint report of Sri H. Kannan.
- Ex. M4 : . . . Application dt. 28-9-63 of Sri H. Kannan to the Secretary of the Bank.
- Ex. M4/1 : . . . Proceedings of the Secretary of the Bank dt. 12-8-63 posting Sri Kannan to Shivpet branch.
- Ex. M5 : . . . Proceedings of the Secretary of the Bank dt. 7-10-63 posting Sri Kannan to Shivpet branch.
- Ex. M6 : . . . Agreement entered into with the Salem Bank by Sri H. Kannan dt. 6-11-63.
- Ex. M7 : . . . Letter dt. 13-6-64 from the Secretary of the Bank to the Shevapet branch.
- Ex. M8 : . . . Application dt. 16-6-64 of the workman H. Kannan to the bank assuring of his continued services.
- Ex. M9 : . . . Application dt. 29-6-64 of H. Kannan to the Secretary of the Bank.
- Ex. M10 : . . . Letter dt. 11-9-1964 from the Secretary of the Bank Ltd., to Sri H. Kannan.
- Ex. M11 : . . . Letter dt. 17-9-64 of Sri H. Kannan to the bank.
- Ex. M12 : . . . Certificate of physical fitness issued by K. Mahadevan to Sri H. Kannan.
- Ex. M13 : . . . Letter dt. 12-10-64 from the Secretary of the Bank to H. O. Banking section.
- Ex. M14 : . . . Letter dt. 27-11-64 from the Secretary of the Bank to H. O. Banking section.
- Ex. M15 : . . . Letter dt. 4-12-64 from the Secretary of the Bank to H. O. Banking section.
- Ex. M16 : . . . Office note.
- Ex. M17 : . . . Letter Ref. No. 724/4 dt. 16-1-65 from the Secretary of the Bank addressed to Sri H. Kannan.
- Ex. M18 : . . . Constitution Rules & Bye-laws of the Salem Bank Employees' Union, Salem.
- Ex. M19 : . . . Rules for re-entertainment of Volunteers of the Salem Bank Limited, Salem, on the reverse of which 12 persons signed agreeing to abide by them.
- Ex. M20 : . . . The Salem Bank Ltd., Salem, Employees' Conduct Rules.
- Ex. M21 : . . . Leave/Rules of the Salem Bank Ltd., Salem.
- Ex. M22 : . . . True copy of the Resolution of the Board of the Directors of the Salem Bank Ltd. Salem dt. 30th January 1965.
- Ex. M23 : . . . Leave record of Sri H. Kannan.
- (\*)
- Ex. M24 : . . . Leave record of Sri H. Kannan.
- Ex. M25 : . . . Proceedings of the Secretary of the Salem Bank Ltd.
- Ex. M26 : . . . The Extract of the casual leave availed by Sri H. Kannan.
- Ex. M23/1 : . . . Leave application of H. Kannan.
- Ex. M23/2 : . . . Leave application of H. Kannan. dt. 6-12-62.
- Ex. M23/3 : . . . to
- Ex. M23/82 : . . . Leave record, containing leave applications, office notes etc., of Sri H. Kannan maintained by the bank.

(Sd.) M. S. ALI KHAN,

[No. F. 51(16)/65-LRIV.]

New Delhi, the 17th September, 1965

**S.O. 2970.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Rajasthan, Jaipur in the industrial dispute between the employers in relation to the management of Messrs Rajasthan Mineral and Company, Bhilwara and their workmen which was received by the Central Government on the 4th September, 1965.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, RAJASTHAN, JAIPUR.**

**PRESENT:**

Shri J. S. Ranawat.—Judge.

**CASE No. C.I.T. 8 of 1965**

In the matter of an Industrial Dispute.

**BETWEEN.**

The Khan Mazdoor Congress, Bhilwara.

**AND**

The Rajasthan Mineral and Company, Bhilwara.

**Date of Award:**

26th August, 1965.

**AWARD**

The following dispute was referred to this Tribunal for adjudication by the Government of India, Ministry of Labour and Employment, New Delhi vide their Order No. 20/3/65-L.R.I dated the 24th July, 1965 between Messrs. Rajasthan Mineral and Company, Bhilwara and their workmen represented by the Khan Mazdoor Congress, Bhilwara:—

Whether the termination of services of the following workmen employed in the Beri Prospecting Mine by the Management of Messrs. Rajasthan Mineral and Company, Jaipur was justified? If not, to what relief are they entitled?

*Beri Prospecting Mica Mine*

<i>Name of worker</i>	<i>Date of discharge</i>
1. Sri Sultan, son of Mola Pinara	24-8-64
2. Sri Allanoor, son of Lalkhan	24-8-64
3. Sri Kalyan, son of Baksa Chamar	4-9-64
4. Sri Surajmal, son of Kalyan Brahmin	24-8-64
5. Sri Jalram, son of Roppa Regar	24-8-64
6. Sri Bhura, son of Hira Nai Beri	17-8-64

The parties amicably settled the aforesaid dispute through the good offices of Shri B. S. Sachdev, Assistant Labour Commissioner, Ajmer. A copy of the settlement has been placed on the record duly verified by the Assistant Labour Commissioner, Ajmer on the 10th August, 1965. The terms of the settlement are as follows:—

1. The management agrees to make payment of the following amounts shown against the workers mentioned below towards the full and final settlement of their claim, within 30 days of this settlement.
2. The union does not press for any further relief in this case.

3. The parties shall make an application to the Tribunal jointly for necessary disposal of the dispute.

Name of the worker	Amount
(1) Sri Sultan son of Mola Pinara	Rs. 46.50
(2) Sri Allanoor, son of Lalkhan	Rs. 93.00
(3) Sri Kalyan, son of Baksa Chamar	Rs. 118.75
(4) Sri Surajmal, son of Kalyan Brahmin	Rs. 160.00
(5) Sri Jairam, son of Roppa Regar	Rs. 46.50
(6) Sri Bhura, son of Hira Nai Beri	Rs. 118.75

Both the parties have prayed for passing an award in terms of the settlement. An award is accordingly passed. A copy thereof may be submitted to the Government of India, Ministry of Labour and Employment, New Delhi for publication.

(Sd.) J. S. RANAWAT,

Judge.

Central Govt. Industrial Tribunal, Rajasthan Jaipur.

[No. 20/3/65-LR-I.]

New Delhi, the 18th September 1965

**S.O. 2971.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following Award of the Industrial Tribunal Andhra Pradesh, Hyderabad in respect of complaints under Section 33A of the said Act filed by Sarva Shri K. Pydithalli, Palla Polayya and Rangula Varahalu employees of Visakhapatnam Port Trust, Visakhapatnam which was received by the Central Government on 7th September 1965.

**BEFORE THE HON'BLE INDUSTRIAL TRIBUNAL, ANDHRA PRADESH.  
HYDERABAD**

PRESENT:

Dr. Mir Siadat Ali Khan, M.A., LL.B., Fazel (Osm); B.C.L., (Oxon);  
D.Phil., (Oxon); Bar-at-Law; (Lincoln's Inn) (London); Chairman,  
Industrial Tribunal, Andhra Pradesh, Hyderabad.

MISCELLANEOUS PETITION No. 75/1964

IN

INDUSTRIAL DISPUTE No. 42/1964

BETWEEN

1. K. Pydithalli.
2. Palla Polayya.
3. Rangula Varahalu.

C/o the Visakhapatnam Harbour & Port Workers  
Union, Visakhapatnam.

—Complainants

AND

PRESENT:

The Chairman, The Visakhapatnam  
Port Trust, Visakhapatnam-I.

Opp. Party.

APPEARANCES:

- Sri K. Satyanarayana, Advocate, for the workmen.  
Sri K. Srinivasamurthy, Advocate, for Opp. Party.

## AWARD

This Miscellaneous Petition No. 75/1964 is filed under Sec. 33A of the Industrial Disputes Act XIV/1947. It is filed by K. Pydithalli, Palla Polayya and Rangula Varahalu, workmen of the Mechanical Department of the Visakhapatnam Port Trust against the Chairman of the said Port. I have heard just now the arguments of the learned advocates of the parties and proceed to pass the award below:

2. The stand of the workmen is that the 3 complainants were drivers in the steam loco section of the mechanical department in the scale of Rs. 110—180/-. Loco drivers used to draw water by operating pumps driven by steam. Later on, these pumps were electrified and the loco drivers continued to operate them even after electrification. Suddenly and without notice, electrical pump attendants were appointed in the scale of Rs. 80—110 in the place of the 3 complainants. Moreover, the employer promoted 4 greasers as mobile crane drivers. Thus, by appointing electrical pump attendants and the promotion of greasers as electrical drivers mobile crane and vehicle section, the 3 complainants were reverted as fire-men from 15th November, 1964. In the results, not only the status of the complainants, but their emoluments were also reduced.

2(1): The stand of the employer is that when the pumps of the Malkapuram Pump House were run by steam, drivers of the loco and steam section were sent to the pump house. These were class-III steam drivers, but, they were never posted as drivers. They were posted as pump-house men-in-charge. On 7th September, 1964 the pumps at the Malkapuram pump house were electrified. Owing to this, the 3 posts of pump-house men-in-charge were abolished and 4 pump attendants were appointed. The pump house in-charge men were sent back to the steam crane and loco section as drivers and their juniors who were temporary and officiating were reverted as firemen. It is emphasised that by these changes no permanent workman was affected.

3. A consideration of these two stands will show that the workmen, though not explicitly but by inference, have claimed that the complainants were posted as drivers at the Malkapuram pump house. The employer denies it totally and M.W.1 the Mechanical Engineer has deposed to the denial. A perusal of the deposition of W.W.1 does not show that even he claimed that the claimants worked as drivers in the said pump house. Both the parties have relied on Ex. W-29 of the main file of I.D. No. 42/1964. There, on page 14, at serial 122, it is clearly stated that the line of promotion to drivers, steam loco, is from fire-man with Boiler Attendant Certificate and in serial 123 it is stated that the line of promotion for drivers Boiler Attendant Certificate and in serial 123 it is stated that the line of promotion for drivers diesel loco is from junior drivers mobile crane and vehicles section. It is not the workmen's case that the 3 complainants were ever diesel loco drivers. They were in the steam section and not even permanent loco and steam drivers. They were firemen and have acted as drivers steam loco. The promotion of greasers as mobile crane drivers was due to the fact that the mobile crane drivers refused to accept promotion as drivers diesel for the reason that they have better chances of promotion in the mobile crane section itself. The employer, therefore, appointed greasers who were in the line of promotion as drivers mobile crane. In my opinion, there cannot be any grouse over this, as the provisions of Ex.W-29 which lays down the lines of promotion were observed and were not violated. They were not violated for the reason that the complainants were never drivers in the diesel loco section and even though Ex W-29 at serial 123 does not mention the line of promotion that after the junior drivers, greasers come in, yet that is established by the deposition of the Mechanical Engineer, M.W.1, to which there is no rebuttal.

4. This is a 33-A petition. In it three things must be proved viz., that the complainants are concerned workmen; that the provisions of section 33 have been contravened and that they were contravened during the pendency of an industrial dispute. It should be noted that the reversion of complainants took place on 14th November, 1964 and the industrial dispute I.D. 42/1964 was referred on 24th September. Hence, the reversion took place during the pendency of the industrial dispute. This condition, therefore, is satisfied. The other condition is whether the workman were concerned in the pending dispute I.D./1964. In that industrial dispute between the workmen and the employers of the Visakhapatnam Port there were 44 issues referred. Many of them were on questions of principle and, therefore, as the law is that as workmen are concerned in a question of principle affecting the condition of service, I hold that they were concerned workmen. This condition is also satisfied. There remains the third most important condition, viz., whether the provisions of Section 33 were contravened. In my opinion, they were not contravened. I have already stated above that the

employer followed the rules of promotion in force *viz.*, Ex.W-29. The complainants were not in the diesel loco section and, therefore, if greasers, on refusal of mobile crane drivers, were promoted they have no good cause for complaint. I am afraid, therefore, I cannot allow this petition. It is rejected.

Award accordingly and report to Government of India, given under my hand and the seal of the Court, this the 2nd Day of September, 1965.

(Sd.) M. S. ALI KHAN,

Industrial Tribunal.

*List of witnesses examined for*

*Workmen:*

W.W.1: N. V. Ramana.

*Employers:*

M.W.1: A. W. De Lima.

*List of documents exhibited for Workmen*

Ex.W1: Letter No. 17573 from Mechanical Superintendent Vizagapatnam Port addressed to Sri N. Venkataramana. (To this, a joint petition signed by 15 applicants and addressed to the Mechanical Superintendent is attached).

Ex.W2: Letter No. VPT/S.C./164/64 dated 23th September, 1964 from the President, The Visakhapatnam Port Workers' Union addressed to the Chairman, Visakhapatnam Port Trust.

Ex.W2/1: Letter No. F/8625/64 dated 22nd October, 1964 from Secretary, Visakhapatnam Port Trust addressed to the President, The Visakhapatnam Harbour & Port Workers' Union, Visakhapatnam.

*List of documents exhibited for Employers*

Ex.M1: Office Order No. MS/E 421 dated 6th October, 1964 of the Visakhapatnam Port Trust.

Ex.M2: Office Order No. MS/E 554 dated 1st December, 1964 of the Visakhapatnam Port Trust.

Ex.M3: Order No. A/5093/64 dated 21st November, 1964 of the Visakhapatnam Port Trust according sanction for steam cranes for works connected with the Ore Handling Plant.

Ex.M4: True Copy of Letter No. 28/126/64 LR.IV, Ministry of Labour & Employment, Govt. of India addressed to the Chairman, Visakhapatnam Port Trust and the President, Visakhapatnam Harbour & Port Workers' Union, Visakhapatnam, containing another true copy of letter No. 28/126/64/LR.IV dated 18th December, 1964, Ministry of Labour & Employment, Govt. of India.

Ex.M5: Service particulars of staff.

(Sd.) M. S. ALI KHAN,

Industrial Tribunal.

[No. 28/77/64/LR.IV.]

*New Delhi, the 20th September 1965*

S.O. 2972.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Umaria Colliery, P.O. Umaria, District Shahdol and their workmen which was received by the Central Government on the 8th September, 1965.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY

REFERENCE NO. CGIT 17 OF 1964

Employers in relating to Umaria Colliery, Post Office Umaria, District Shahdol, Madhya Pradesh,

AND

Their Workmen.

PRESENT:

Shri Salim M. Merchant, Presiding Officer.

Dated at Bombay this 1st day of September, 1965

INDUSTRY: Coal-mining

STATE: Madhya Pradesh.

AWARD (PART III)

1. The Central Government, by the Ministry of Labour & Employment's Order No. 5/47/63-LRII dated 24th January, 1964, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947), was pleased to refer the industrial dispute between the parties above-named in respect of the subject-matters specified in the following schedule to the said order, to me for adjudication:—

SCHEDULE

"Whether the management of the Umaria Colliery was justified in dismissing the following workmen from service; and if not, to what relief are these workmen entitled

1. Shri Ganesh, Ticket No. 811, Miner.
2. Shri Sudhua, Ticket No. 633, Miner.
3. Shri Baisakhoo, Ticket No. 734, Miner.
4. Shri Girdhari, S/o Sirmani, Ticket No. 755.
5. Shri Milan, Ticket No. 717, Miner.
6. Shri Ganpat, 1261.
7. Shri Majnoo, Ticket No. 753, Miner.
8. Shri Bhakua, S/o Charka, Ticket No. 692."

2. By my Award Part I herein dated 3rd June, 1965, I recorded the settlement that had been reached between the employers above-named and two of the eight workmen under reference, viz. Shri Ganesh, Ticket No. 811, Miner (Serial No. 1 in the Schedule) and Shri Bhakua, S/o Charka, Ticket No. 692 (Serial No. 8 in the Schedule) and treated the dispute in respect of these two workmen as settled.

3. By my Award Part II dated 19th July, 1965, I recorded the settlement that had been reached between the employers above-named and Shri Sudhua, Ticket No. 633, Miner (Serial No. 2 in the Schedule), and treated the dispute in respect of this workman as settled.

4. Thereafter, Shri Girdhari, S/o Sirmani, Ticket No. 755 (Serial No. 4 in the Schedule) filed an application on affidavit made by him before the Tahsildar Magistrate, Umaria, Tahsil-Bandhogarh (M.P.) dated 21st Augst, 1965, in which he has stated that he has amicably settled his dispute pending in the above reference with the management of Umaria Colliery, and has also received final payment from the management against all his claims, and prayed that the said dispute may be treated as withdrawn and closed in respect of himself. The management have also, by their application dated 24th August, 1965, confirmed the settlement reached, and have also prayed for the dispute regarding this workman to be treated as withdrawn and settled, and for an order in those terms.

5. From the above, it appears that this workman, Shri Girdhari, s/o Sirmani, Ticket No. 755 (Serial No. 4 in the Schedule) has settled his dispute in this reference with the management and has received payment in full satisfaction of his claims therein. In the result, the dispute in respect of Shri Girdhari, s/o Sirmani, Ticket No. 755 (Serial No. 4 in the Schedule) is treated as settled and disposed of accordingly.

6. No order as to costs.

(Sd.) SALIM M. MERCHANT,  
Presiding Officer.  
[No. 5/47/63-LRII.]

**S.O. 2973.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the Bankola Colliery (P.O. Ukhra, District Burdwan) and their workmen which was received by the Central Government on the 13th September, 1965.

### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 70 of 1964

**PARTIES:**

Employers in relation to the Bankola Colliery,

AND

Their workmen.

**PRESENT:**

Shri L. P. Dave—Presiding Officer.

**APPEARANCES:**

*On behalf of employers*—Shri D. Narsingh, Advocate.

*On behalf of workmen*—Shri Ramen Banerjee, Vice-President, Colliery Mazdoor Sabha.

**STATE:** West Bengal.

**INDUSTRY:** Coal Mines.

### AWARD

The Government of India, Ministry of Labour and Employment, by their order No. 6/82/64 LR.II dated 7th December, 1964, have referred the industrial disputes existing between the employers in relation to the Bankola Colliery and their workmen in respect of the following matters, for adjudication to this Tribunal. The matters referred to for adjudication are:

- (1) Whether the action of the management of Bankola Colliery in denying employment to Shri Jadu Sasmal (Wagon Loader) from 14th July 1964 to 3rd September 1964 was an act of victimisation?
- (2) If so, to what relief is the workman entitled?

2. After the parties had filed their written statements, the matter was fixed for hearing. On each of the three occasions when the matter was fixed for hearing, the workmen asked for an adjournment and it was granted. But, while granting the adjournment on the last day, I had told them that I was doing that reluctantly and made it clear to them that I would not grant any further adjournment.

3. When the matter came up for hearing before me to-day, Shri Banerjee who appeared on behalf of the workmen stated that the workman concerned had not been able to attend the Tribunal on any of the days fixed for hearing and that there was not certainty when he would be in a position to do so and therefore he wanted to withdraw his complaint in respect of the present reference.

4. The dispute in the present case related to a workman named Jadu Sasmal, Wagon loader, and it was alleged that he was not given employment from 14th July, 1964 to 3rd September, 1964 and that this was an act of victimisation. According to the written statement of the employers, the workman was suspended from work for 10 days from 14th July to 24th July, 1964 on his being found guilty of mis-conduct which was held proved after a departmental enquiry. The employers further contended that from 25th July to 3rd September 1964 the workman voluntarily remained absent in as much as he did not report for duty during this period. The Union contended that the action of the management was an act of victimisation. It was for them to have adduced evidence in support of this allegation which they have failed to do. Even the workman concerned has not been examined and I must, therefore, hold the alleged victimisation not proved. That being so, I hold that the workman is not entitled to any relief.

I pass my award accordingly.

(Sd.) L. P. DAVE,  
Presiding Officer.

Dated, 9th September 1965.

[No. 6(82)/64-LR-II.]



## ORDERS

*New Delhi, the 6th September, 1965*

**S.O. 2974.**—Whereas an industrial dispute exists between the Associated Cement Co., Ltd., Kotma Colliery, P.O. Kotma Colliery (hereinafter referred to as the said company) and their workmen represented by the Kotma Colliery Mazdoor Sangh P.O. Kotma Colliery (hereinafter referred to as the Union);

And, whereas the said Company and the Union have by a written agreement, in pursuance of the provisions of Sub-Section (1) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947), referred the said dispute to the arbitration of the person specified therein, and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provisions of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes in the Official Gazette the said arbitration agreement, which was received by it on the 26th August, 1965.

*Agreement*

(Under Section 10A of the Industrial Disputes Act, 1947).

*BETWEEN**Names of Parties.*

*Representing Employers.*—Mr. G. L. Govil, Senior Personnel Officer, The Associated Cement Cos., Ltd., Kotma Colliery, P.O. Kotma Colliery.

*Representing Workmen.*—Shri K. B. Chougule, President, Kotma Colliery Mazdoor Sangh, P.O. Kotma Colliery.

Whereas an understanding was reached in July 1965 between the parties to refer the following industrial dispute under Section 10A of the I.D. Act to the arbitration of Mr. F. Jeejeebhoy, Retired President, Labour Appellate Tribunal of India, residing at 'Firuz-Ara', Churchgate Reclamation, Bombay 1,

And whereas on being orally requested by the parties in July 1965 Shri F. Jeejeebhoy indicated his willingness to act as an Arbitrator,

Now therefore it is hereby agreed between the parties to refer the following dispute under Section 10A of the I.D. Act to the arbitration of Mr. F. Jeejeebhoy.

*(i) Specific matters in dispute:*

"Whether the curtailment of leave facilities in respect of workmen brought on monthly rates of pay with effect from February 1961 is justified? If not, to what relief are such workmen entitled?"

The said dispute as specified in para (i) above was referred by the Central Government to the Central Government Industrial Tribunal, Bombay, for adjudication, as per the Notification Annex. "A" annexed hereto and marked as Annexure "A". The parties by their joint application dated 16th August, 1965 to the said Tribunal asked for permission to withdraw the aforesaid Reference and the said Tribunal by its Order dated 17th August, 1965, granted the permission for withdrawal of the said dispute.

*(ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved:*

(a) The Associated Cement Companies Limited, Kotma Colliery, P.O. Kotma Colliery.

(b) The Workmen of the Kotma Colliery as represented by the Kotma Colliery Mazdoor Sangh, P.O. Kotma Colliery.

*(iii) Name of the Union representing workmen in question:*

The Kotma Colliery Mazdoor Sangh, P.O. Kotma Colliery.

*(iv) Total number of workmen employed in the Undertaking affected:*

About 1800.

We further agree that the decision of the said Arbitrator shall be binding on us.

*Dated at Bombay, this the 23rd day of August, 1965.*

Witnesses:

*Signature of Parties:*

1. (Sd.) Illegible (Representing Employer)

G. L. Govil,

2. (Sd.) Illegible (Representing Workmen).

K. B. CHOUGULE,

I consent as previously indicated to act as Arbitrator.

(G. JEEJEEHOY)

ANNEXURE "A".

MINISTRY OF LABOUR AND EMPLOYMENT ORDER

*New Delhi, the 12th February 1964.*

S.O. 640.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Kotma Colliery of Messrs. Associated Cement Companies Limited, and their Workmen in respect of the matters specified in the Schedule hereto annexed.

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication:

Now, therefore, in exercise of the powers conferred by clause (d) of Sub-Section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under Section 7A of the said Act.

SCHEDULE

Whether the curtailment of leave facilities in respect of workmen brought on monthly rates of pay with effect from February 1961 is justified? If not, to what relief are such workmen entitled?

A. L. HANDA, Under Secy.

[No. 5/2/64-LR.II.]

[No. 8/84/65. LR. II.]

*New Delhi, the 14th September 1965*

S.O. 2975.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Victoria West Colliery of M/s New Beerbhoom Coal Co. Ltd. and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

(i) Whether the following workmen employed in Sand Pit No. 1 at Victoria West Colliery were employees of M/s New Beerbhoom Coal Co. Ltd., (the owner of the

Colliery) or were employees of Shri R. N. Mondal Sand Raising Contractor prior to their retrenchment with effect from the 4th January 1965?

1. Firingi Mondal	...	Sand Loader
2. Piyare Lall	...	-do-
3. Praduman Singh	...	-do-
4. Satya Deo Yadava	...	-do-
5. Darson Ram	...	-do-
6. Keshab Ram	...	-do-
7. Bhuskari Saw	...	-do-
8. Radhey Bin	..	-do-
9. Chhatu Mondal	...	-do-
10. Lakhan Dhari Bin	...	-do-
11. Raso Bin	..	-do-
12. Smt. Kashi Bourin	...	-do-
13. Smt. Chepi	..	-do-
14. Smt. Dhiri	..	-do-
15. Smt. Bijula	...	-do-
16. Smt. Atla	...	-do-
17. Shri Bharat Tentl	..	Trammer
18. Shri Kashi Bourl	...	-do-
19. Shri Ashu Bourl	...	-do-
20. Shri Master Bourl	...	-do-
21. Shri Madan Bourl	..	-do-
22. Shri Chandeswar Saw	...	Haulage Khalasi

(ii) Whether the closure of Sand Pit. No. 1 at the said Colliery and consequent retrenchment of the aforesaid workmen in January, 1965 are legal and justified? If not, to what relief are they entitled?

[No. 1/4/65-LR.II.]

**S.O. 2976.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Pindra Colliery (Post Office Kaju, District Hazaribagh) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

(1) Whether the management of the Pindra Colliery is justified in not paying from June 1963 its workmen their correct wages including wages for paid festival holidays, sick khoraki and lead and lift wages, as provided under the Award of the All India Industrial Tribunal (Colliery Disputes)?

(2) If not, to what relief are the workmen entitled?

[No. 1/12/65-LR.II.]

**S.O. 2977.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Ramnagar Colliery P.O. Pandaveswar (Distt. Burdwan) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal Dhanbad, constituted under section 7A of the said Act.

## SCHEDULE

Whether the action of the management of Ramnagar Colliery in dismissing Shri Shyam Kishore Gope, Bunker Sirkar with effect from the 21st March, 1964 was justified? If not, to what relief is the workman entitled?

[No. 6/94/64-LR-II.]

**S.O. 2978.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the New Jemehari Khas Colliery (P.O. Jaykaynagar, District Burdwan) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal Dhanbad, constituted under section 7A of the said Act.

## SCHEDULE

(1) Whether the management of the New Jemehari Khas Colliery was justified in transferring their workmen, Sarvashri Bharat Upadhya, Motilal Gosai and Ramjit Tiwari, from the Colliery to Head Office at Searsole Rajbari?

(2) If not, to what relief are the workmen or any of them entitled?

[No. 6/72/65-LR-II.]

*New Delhi, the 15th September 1965*

**S.O. 2979.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Khas Dharmaband Colliery of Messrs Khas Dharmaband Colliery Company Private Limited, (Post Office Malkera, District Dhanbad) and their workmen in respect of the matters specified in the schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication:

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal Dhanbad, constituted under section 7A of the said Act.

## SCHEDULE

Whether the management of the Khas Dharmaband Colliery of Messrs Khas Dharmaband Colliery Company Private Limited was justified in suspending the following workmen for the period mentioned against their names:—

<i>Name of the workman</i>	<i>Period of suspension</i>
1. Shri Janak Mahato, C. C. M. Helper	16-2-1965 to 24-2-1965.
2. Shri Sundar Murai, Miner of No. 4 Pit.	10-3-1965 to 13-3-1965.

If not, to what relief are the workmen entitled?

[No. 2/61/65-LR-II.]

**S.O. 2980.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Gonshadih Colliery of Messrs Gonshadih Coal Company (P.O. Kusunda, District Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the management of Gonshadih Colliery of Messrs Gonshadih Coal Company Post Office Kusunda (Dhanbad) and their managing contractors, Messrs Prabhudayal Mangilal, Calcutta, were justified in terminating the services of S/Shri Mukunda Dusadh and Roshan Dusadh, Boiler Firemen, with effect from the 16th May 1965? If not, to what relief are the workmen entitled?

[No. 2/82/65-LRII.]

**S.O. 2981.**—Whereas the Central Government is of opinion that for securing the defence of India and civil defence and for maintaining supplies and services necessary to the life of the community, the following class of employment is essential, namely employment in any of the offices of any bank as defined in the Explanation below, as are situated in the States of Jammu and Kashmir, Punjab, Rajasthan, Gujarat, Maharashtra, West Bengal and Assam and in the Union territories of Delhi, Himachal Pradesh, Manipur and Tripura;

Now, therefore, in exercise of the powers conferred by rule 126AA of the Defence of India Rules, 1962, the Central Government hereby declares the said class of employment to be a class of employment to which the said rule 126AA applies.

*Explanation.*—In this Order, 'bank' means the Reserve Bank of India, the State Bank of India, any subsidiary bank as defined in clause (k) of section 2 of the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959), or any banking company as defined in clause (c) of section 5 of the Banking Companies Act, 1949 (10 of 1949).

[No. F.10/13/65-LRI.]

**S.O. 2982.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Punjab National Bank Limited and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Delhi constituted under section 7A of the said Act.

#### SCHEDULE

Whether the demand for payment of an allowance of Rs. 25/- per month to Shri Harbans Lal Luthra, Library clerk, Punjab National Bank Limited, New Delhi is justified? If so, from which date is the allowance payable?

[No. 51(39)/65-LRIV.]

*New Delhi, the 17th September, 1965.*

**S.O. 2983.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Stone Quarries/Companies (specified in Schedule I) and their workmen in respect of the matters specified in the Schedule II hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Dr. Mir Siadat Ali Khan will be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

#### SCHEDULE I.

1. Messrs Tandur and Navandgi Stone Quarries (Private) Limited, No. 1—10—147, Begumpet, Hyderabad-16, Andhra Pradesh.

2. Messrs Shahabad and Martur Stone Supplying Company (Private) Limited, Shahabad, Mysore State.

3. Messrs Chittapur Stone Quarrying Company (Private) Limited, Chittapur, Mysore State.

4. Messrs Wadi Stone Marketing Company Limited, Wadi, Mysore State.

5. Messrs Vijaya Stone Supplying Company, Seram, Mysore State.

6. Messrs Karnatak Stone Supplying Company, Seram, Mysore State.

7. Messrs Stone Company Limited, Post Office Kurkunta, Mysore State.

8. Messrs Gingurthi Stone Company, Post Office Tandur, Andhra Pradesh.

#### SCHEDULE II.

(1) Whether the employers mentioned in Schedule I are justified in refusing Paid National Festival Holidays to their workmen?

(2) If not, what should be the number of such Paid Festival Holidays in a year, and from what year are the workmen entitled to get the benefit?

[No. 36/11/65-LR-I.]

**S.O. 2984.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Babisole Colliery (P.O. Ondal, District Burdwan) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

(1) Whether the Management of Babisole Colliery was justified in dismissing Shri Muni Missir, Tugger Khalasi of the said Colliery with effect from the 8th October, 1964?

(2) If not, to what relief is the workman entitled?

[No. F. 6/12/65-LR-II.]

**S.O. 2985.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jamadoba Power House of M/s. Tata Iron and Steel Co., Ltd., Jamadoba, P.O. Jealgora, (Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

Whether reversion of Shri Maheshwar Ram (Ticket No. 13158) Category I Mazdoor from the Post of Ash Trammer with effect from the 6th January 1965 was justified? If not, to what relief is he entitled?

[No. 2/89/65-LR-II.]

**S.O. 2986.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Babisole Colliery P.O. Ondal, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

(1) Whether the dismissal of Shri Ram Kewal Bhar, Timber Mistry of Babisole Colliery with effect from the 10th October, 1964 was justified?

(2) If not, to what relief is the workman entitled?

[No. 6/14/65-LR-II.]

*New Delhi, the 20th September 1965*

**S.O. 2987.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Dhemo Main Collieries Ltd. P.O. Sitarampur, Distt. Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the management of Dhemo Main Colliery was justified in changing the underground trammers from piece-rated to time-rated during the first quarter of 1965 and thereby raising the qualifying days of attendance from 54 days to 66 days for the purpose of earning bonus under the Coal Mines Bonus-Scheme, with effect from the quarter ending March, 1965? If not, to what relief are the workmen concerned entitled?

[No. 6/94/65-LR.II.]

**S.O. 2988.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the New Bank of India Limited, New Delhi and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Delhi constituted under section 7A of the said Act.

## SCHEDULE

- (1) Whether, having regard to the provisions contained in para 529 of the Sastry Award, the management of the New Bank of India Limited, New Delhi was justified in promoting the following junior clerks in preference to Shri Krishan Baldeo Passan, clerk;
1. Shri Prem Raitan Puri;
  2. Shri Jagjit Singh;
  3. Shri Tilak Raj Chona;
  4. Shri S. L. Malik;
  5. Shri Radha Kishan Shanket;
  6. Shri B. S. Bhandari; and
  7. Shri K. L. Chandna.
- (2) If not, to what relief is Shri Krishan Baldeo Passan entitled?

[No. F. 51(37)/65-LRIV.]

## CORRIGENDUM.

*New Delhi, the 17th September 1965*

**S.O. 2989.**—In the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2590, dated the 11th August, 1965, published on pages 2876-2877 of the Gazette of India, Part II Section 3 (ii) dated the 21st August, 1965. For [2/27/64 LRIV] occurring at the end, read (7/27/64-LRIV.)

[No. 7/27/64-LRIV.]

H. C. MANGHANI, Under Secy.

## [Office of the Chief Labour Commissioner (central)]

## ORDERS

*New Delhi, the 14th September 1965*

**S.O. 2990.**—Whereas an application has been made by the establishments carrying on operation concerning coal mine mentioned in the Schedule below for extension of the period specified in clause (b) of section 19 of the Payment of Bonus Ordinance 1965 (3 of 1965), for the payment of bonus to the employees of the said establishments, for the accounting year ended on the 31st December, 1964;

And whereas Chief Labour Commissioner is satisfied that there are sufficient reasons so to do;

Now, therefore, in exercise of the powers conferred by the proviso to clause (b) of section 19 of the said Ordinance, read with the notification of the Government of India in the Ministry of Labour and Employment No. WB-20(42)/65 dated the 28th August, 1965 I, Teja Singh Sahni, Chief Labour Commissioner hereby extend the period within which the said bonus shall be paid by the establishments to 12 (twelve) months from the close of the accounting year ended on the 31st December, 1964.

## THE SCHEDULE

1. Shree Gopinathpur Colliery, P.O. Nirsachatti. (Dhanbad).
2. The Madhujore Coal Co. Private Ltd., (Madhujore Colliery) 135, Canning Street, Calcutta-1.
3. Sree Sree Lakshmi Narain Trust (East Kumardhubi Colliery) Post Box No. 45, P.O. Jharia, (E. Rly.), (Dhanbad).
4. The East Angarpathra Colliery Co. Private Ltd., Angarpatra Colliery, P.O. Jharia, E. Rly. District Dhanbad.
5. The Karanpura Development Company Ltd., Post Box 46. Chartered Bank Buildings, Calcutta-1.
6. The East Sathgram Coal Co., Pvt. Ltd., 135, Canning Street (2nd Floor), Calcutta-1.
7. Shaw Wallace & Company Ltd., 9-A, Connaught Place, New Delhi-1.



8. The Rakhikol Collieries, Prop. Shiavax C. Cambata & Co., Pvt. Ltd., Cambata Buildings 42, Queens Road, Back Bay Reclamation, Bombay.

9. Katras Jherriah Coal Company, Ltd., 8, Clive Row, Post Box No. 150, Calcutta-1.

10. Seebpore Coal Company Ltd., 8, Clive Row, Post Box No. 150, Calcutta-1.

11. The Jhagrakhand Collieries Pvt. Ltd., 15, Gariahat Road. Calcutta-19.

12. Kirkend Coal Co. Kirkend Colliery, P.O. Kusunda Distt. Dhanbad.

13. The Pure Dhansar Coal Co., P.O. Dhansar (Dhanbad).

14. Tarmi Colliery Company, Industrial Bank Building, P.O. Jharia (Dhanbad), Bihar.

15. Vindhya Collieries Pvt. Ltd., Post Box No. 259, 18, Netaji Subhas Road, Calcutta-1.

16. Nimcha Coal Company Ltd., 21, Jatindra Mohan Avenue, Calcutta-6.

17. Ashakuty Coal Company, Ltd., 21, Jatindra Mohan Avenue, Calcutta-6.

18. Samla Collieries Ltd., 33, Netaji Subhas Road, Calcutta-1.

19. Selected Satgram Collieries Ltd., F-2, Gillander House, 8, Netaji Subhas Road. Calcutta-1.

20. Porascole Coal Co. Ltd., 18, Netaji Subhas Road, Calcutta-1.

21. Dalchand Bahadur Singh. 15, Gariahat Road, Calcutta-19.

22. Dhansar Coal Co. Ltd., P.O. Dhansar (Distt. Dhanbad).

23. Lodna Colliery Co. Ltd., 6, Lyons Range, P.O. Box No. 68, Calcutta-1.

24. B. Roy Ramkanali Collicries P.O. Katrasgarh, Distt. Dhanbad.

25. Bright Kusunda Colliery Company, P.O. Dhansar, E.R. (Dhanbad).

26. Bengal Nagpur Coal Co. Ltd., Bhuggutidih Colliery, P.O. Dhansar, Distt. Dhanbad.

27. Kuya and Khas Kuya Colliery Co., P.O. Jharia, (Dhanbad).

28. H. D. Agarwalla & Sons, P.O. Jharia, (Dhanbad).

29. East Bastacolla Colliery Co., P.O. Jharia, (Dhanbad).

30. Central Sulunga Colliery Co., P.O. Jharia.

31. Samla Dalurband Coal Co., (P) Ltd., 14, Bentinck Street, Calcutta.

32. Hursookhdas Balkissendas, 22, Burtolla Street, Calcutta-7.

33. South Parasea Collieries Private Ltd., 25, Netaji Subhas Road, Calcutta-1.

34. The Parasea Collieries Ltd., 25, Netaji Subhas Road, Calcutta-1.

35. The Borrea Coal Company Ltd., Chartered Bank Buildings, Calcutta-1.

36. United Collieries Ltd., Thapar House, 25, Brabourne Road, Calcutta-1. (in relation to Central Sounda Colliery and North Chirimiri Colliery.)

37. Oriental Coal Company Ltd., Thapar House, 25, Brabourne Road, Calcutta-1. (in relation to Madhuband Badjna, Kamptee, Real Jambad and Begonia collieries.)

38. Bhowra Kankance Collieries Ltd., Thapar House, 25, Brabourne Road, Calcutta-1. (in relation to Bhowra, Amlabad, Pootkee and Kankanee collieries.)

39. North West Coal Co. Ltd., ENA Colliery, P.O. Dhansar Distt. Dhanbad.

40. Selected Jogta Colliery Company, P.O. Jharia, (Dhanbad).

41. The Khas Joyrampur Colliery Co. Pvt. Ltd., Jharia, E. Rly.

42. The Newton Chickli Collicries Pvt. Ltd., P.O. Parasia, Distt. Chindwara (M.P.).

43. Benedih Coal Concern Benedih Colliery, P.O. Nudkhurkee (Dhanbad).
44. Johilla Coalfields Pvt. Ltd., Birsinghpur-Pali, Distt. Shahdol, (M.P.).
45. Devji Ghelabhai & Bros., P.O. Kajoragram. Burdwan.
46. National Coal Co. Pvt. Ltd., (P.O. Katrasgarh) 48/1, Ram Tanu Bose Lane, Calcutta-6.
47. West Bengal Mining Co. 41, Chowringhee Road, Calcutta-16.
48. Golukdih Colliery Co. Pvt. Ltd., Post Bag No. 153, P.O. Jharia.
49. Khas Sijua Coal Co. P.O. Jharia, (Dhanbad).
50. The Central Bansjora Colliery P.O. Sijua, (Dhanbad).
51. Sarpi Kajora Coal Mines Pvt. Ltd., P.O. Ukhra, (Burdwan), E.R.
52. Palasthal Coal Concern Private Ltd., 85, Mechuabazar Road, Chinsurah.
53. New Bansdeopur Coal Co., Pvt. Ltd., Kusunda, (E.R.).
54. North Badjna Coal Co. Pvt. Ltd., P.O. Nirsachatti, (Dhanbad).
- 55 Pure Samla Coal Co. Pvt. Ltd., 14, Netaji Subhas Road, Calcutta-1.

[No. BO25(3)/1/65]

*New Delhi, the 18th September 1965*

**S.O. 2991.**—Whereas an application has been made by the establishments, carrying on operation concerning any mine other than coal mentioned in the Schedule below for extension of the period specified in clause (b) of section 19 of the Payment of Bonus Ordinance, 1965 (3 of 1965), for the payment of bonus to the employees of the said establishments, for the accounting year ended on the 31st December, 1964;

And whereas Chief Labour Commissioner is satisfied that there are sufficient reasons so to do;

Now, therefore, in exercise of the powers conferred by the proviso to clause (b) of section 19 of the said Ordinance, read with the notification of the Government of India in the Ministry of Labour and Employment No. WB-20(42)/65 dated the 28th August, 1965 I, Teja Singh Sahni, Chief Labour Commissioner hereby extend the period within which the said bonus shall be paid by the establishments to 12 (twelve) months from the close of the accounting year ended on the 31st December, 1964.

#### THE SCHEDULE

1. Gogte Mines, 146, Tilakwadi, Belgaum.
2. S. N. Sunderson and Co., 1, Deshbandhu Gupta Road, Post Box 85, New Delhi.

[No. BO-25(3)/2/65.]

**S.O. 2992.**—Whereas an application has been made by M/s. Indian Copper Corporation Ltd., carrying on operation concerning any mine other than coal for extension of the period specified in clause (b) of section 19 of the Payment of Bonus Ordinance 1965 (3 of 1965), for the payment of bonus to their employees for the accounting year ended on the 31st December, 1964;

And whereas Chief Labour Commissioner is satisfied that there are sufficient reasons so to do;

Now, therefore, in exercise of the powers conferred by the proviso to clause (b) of section 19 of the said Ordinance, read with the notification of the Government of India in the Ministry of Labour and Employment No. WB-20(42)/65 dated the 28th August, 1965 I, Teja Singh Sahni, Chief Labour Commissioner hereby extend the period within which the said bonus shall be paid by M/s. Indian Copper Corporation Ltd. to 9 (Nine) months from the close of the accounting year ended on the 31st December, 1964.

[No. BO-25(3)/2/65.]

*New Delhi, the 20th September 1965*

**S.O. 2993.**—Whereas an application has been made by the establishments carrying on operation concerning Coal-mine mentioned in the Schedule below for extension of the period specified in clause (b) of section 19 of the Payment of Bonus Ordinance 1965 (3 of 1965), for the payment of bonus to the employees of the said establishments, for the accounting year ended on the 31st December, 1964;

And whereas Chief Labour Commissioner is satisfied that there are sufficient reasons so to do;

Now, therefore, in exercise of the powers conferred by the proviso to clause (b) of section 19 of the said Ordinance, read with the notification of the Government of India in the Ministry of Labour and Employment No. WB-20(42)/65 dated the 28th August, 1965 I, Teja Singh Sahi, Chief Labour Commissioner hereby extend the period within which the said bonus shall be paid by the establishments to 12 (twelve) months from the close of the accounting year ended on the 31st December, 1964.

#### THE SCHEDULE

1. Agarwalla Brothers, Bokharo Jharria Colliery, P.O. Karmatand, Distt. Dhanbad.  
(in respect of Bokharo Jharria Colliery).

2. Jemehari Khas East Colliery (P) Ltd., P.O. Searsole Rajbari (Burdwan).

3. New Jemehari Khas Colliery (P) Ltd., P.O. Searsole Rajbari (Burdwan).

4. Nirshah Khas Colliery (P) Ltd., P.O. Searsol Rajbari, Distt. Burdwan.

[No. BO-25(3)/1/65.]

**S.O. 2994.**—Whereas an application has been made by the establishments carrying on operation concerning Coal mine mentioned in the Schedule below for extension of the period specified in clause (b) of section 19 of the Payment of Bonus Ordinance, 1965 (3 of 1965), for the payment of bonus to the employees of the said establishments, for the accounting year ended on the 31st December, 1964;

And whereas Chief Labour Commissioner is satisfied that there are sufficient reasons so to do;

Now, therefore, in exercise of the powers conferred by the proviso to clause (b) of section 19 of the said Ordinance, read with the notification of the Government of India in the Ministry of Labour and Employment No. WB-20(42)/65 dated the 28th August, 1965 I, Teja Singh Sahni, Chief Labour Commissioner hereby extend the period within which the said bonus shall be paid by the establishments to 12 (twelve) months from the close of the accounting year ended on the 31st December, 1964.

#### THE SCHEDULE

1. Associated Nandi Collieries Ltd., Post Box No. 408, 18, Netaji Subhas Road, Calcutta-1.

2. East Baraboni Coal Co. (P) Ltd. 4. Mandeville Gardens, Ballygunge, Calcutta-19.  
(In respect of East Baraboni Colliery).

3. East Chaptoria Coal Co. (P) Ltd. Chaptoria Colliery, P.O. Salanpur, Distt. Burdwan.  
(In respect of Chaptoria colliery)

4. H. K. Nag's Poniatl-Baraboni Colliery, 4, Mandeville Gardens, Ballygunge, Calcutta-19.  
(In respect of Poniatl-Baraboni colliery).

5. Khas Kajora Coal Co. Ltd., 18, Netaji Subhas Road, Calcutta,

6. Nags' Kajora Jambad Colliery, 4, Mandeville Gardens, Ballygunge, Calcutta-19.

7. Ramjibanpur Coal Co. (P) Ltd., 4, Mandeville Gardens, Ballygunge, Calcutta-19.

(In respect of Nag's Ramjibanpur colliery).

8. Rewa Mining Company Ltd., Bhadra Colliery, P.O. Kotma, Distt. Shahdol, M.P.

(In respect of Bhadra Colliery).

9. S. C. Rungta Colliery, P.O. Rungta Colliery, Via, Burhar, S.E. Rly. (M.P.).

10. Sonc Valley Portland Cement Co. Ltd. 11, Clive Row, Calcutta-1.

[No. BO-25(3)/1/65.]

TEJA SINGH SAHNI,

Chief Labour Commissioner (Central).

### DEPARTMENT OF SOCIAL SECURITY

*New Delhi, the 4th September 1965*

**S.O. 2095.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories mentioned in the Schedule below in sparse areas in the State of Uttar Pradesh, hereby exempts them from the payment of the employers' special contribution leviable under Chapter VA of the said Act until the enforcement of the provisions of Chapter V of that Act in those areas.

#### SCHEDULE

Sl. No.	Name of District	Name of the area	Name of the factory
1	Badaun	Badaun	M/s. Kishore Electric Supply Corp.
2	Bahraich	Bahraich	Harishchandra Rice & Dal Mill
3	Barabanki	Obri	Lucknow Associated Tanners and Engineers Private Ltd.
4	Barcilly	Baheri	Agarwala Kaththa Industries.
5	Bijnore	Najibabad Dhampur	Bharat Plywood Products. William Jacks & Company.
6	Bulandsher	Bulandsher Khurja	Butamal Indersen and Co. Government Pottery Development Centre.
7	Etah	Etah	Allied Wire Works.
8	Etawah	Jaleshar Rd. (Bharthana) Maksoodpura Dibiapur (Phaphund)	Vijaya Rice and Dal Mills Prem Dal and Oil Mills (1) Prabhu Dayal Kishan Gopal. (2) Sarveshwar Dayal Mahadeo Pd.
9	Faizabad	Faizabad Tanda	U.P. Govt. Roadways Workshop. M/s. Girdhar Textiles.
10	Farrukhabad	Kaimganj	Madhuri Saran Suresh Chand.
11	Fatehpur	Radha nagar	V.K. Industries.
12	Ghazipur	Zamania	Shri Bhirgjee Rice Dal and Oil Mills.
13	Gonda	Balrampur	Aratee Industries Fore Mills.
14	Kanpur	Pukhrayan	Shree Shanker Rice and Dal Mills.
15	Khari	Lakhimpur	Dasi Ram Sri Krishan Iron Foundry.

Sl. No.	Name of Distric	Name of the area	Name of the factory
16.	Lucknow	Rahimabad	State Base Tractor Repairs Work shop.
		Chinhat	Government Pilot Pottery Project.
17	Meerut	Hastinapur	Parveen Industries.
		Loni	Vijay Metal Industries.
		Baraut	Phoolson Agricultural Industries.
		Mile Stone Meerut Road	Commercial Screw Industries.
		Sihani	Gopal Paper and Board Mills.
		Meerut Road,	Chaudhry Dairies & Allied
		Ghaziabad	Products (Private) Ltd.
18	Moradabad	Bahadura	The Fertilizer and Gelatine In- dustries.
		Chandausi	Har Prasad Re-rolling Mills.
19	Muzaffarnagar	Muzaffarnagar	Indo International Industries.
20	Naintal	Haldwani	The Lalkunwa Co-op. Milk Supply Union Ltd.
		Ram Nagar	Kumaon Ply Udyog.
21	Pilibhit	Pilibhit	(1) Shri Ganesh Rice and Oil Mills. (2) Karbokem Industries.
22	Sultanpur	Sultanpur	Government Pilot Works! cp.
23	Varanasi	Gopiganj	Government Blanket Factory.

[No. F. 6/27/65-HI.]

**S.O. 2996.**—Whereas the Central Government is satisfied that Dugda Coal Washery was situated in Dugda area which was a sparse area, (that is, an area whose insurable population was less than 500) in the district of Hazaribagh in the State of Bihar;

And, whereas by virtue of its location in a sparse area, the aforesaid factory was granted exemption from the payment of the employers' special contribution under section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948) until enforcement of the provisions of Chapter V of the Act in that area by the Central Government through the Ministry of Labour and Employment notification No. S.O. 859 dated the 13th March, 1963;

And, whereas the Central Government is satisfied that the insurable population of the Dugda area in the district of Hazaribagh in the State of Bihar has now exceeded 500, and it is no longer a sparse area;

Now, therefore, in exercise of the powers conferred by section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 851 dated the 13th March, 1963, namely:—

In the Schedule to the said notification, against Serial No. 3, the entries 'Dugda' and 'Dugda Coal Washery' occurring in columns 3 and 4 respectively shall be omitted.

[No. F. 6/66/65-HI.]

New Delhi, the 6th September 1965

**S.O. 2997.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government, having regard to the nature of the industry carried on in the factory, hereby exempts Messrs Mamally Coffee Curing Works, Cheruvannur, from the payment of the employers' special contribution leviable under Chapter VA of the said Act for a further period upto and inclusive of the 11th July, 1966.

[No. F. 6/65/65-HI.]

*New Delhi, the 16th September 1965*

**S.O. 2998.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and having regard to the location of the factories mentioned in the Schedule below in sparse areas in the State of Madras, the Central Government exempts them from the payment of the employers' special contribution leviable under chapter VA of the said Act until the enforcement of the provisions of Chapter V of that Act in those areas.

SCHEDULE

Sl. No.	Name of District	Name of the area	Name of the factory
1	Chingleput	Sriperumbudur	The Sriperumbudur Bolts and Nuts Industrial Cooperative Society.
		Valluvapakkam	M. Kamalam Dyeing Cotton Mills, Kancheepuram Taluk.
2	Ramnad	Karaikudi	M/s. Kali Aerated Water Works.
		Tiruvadanai	Sree Nithya Kalayani Textiles Ltd.
3	Salem	Ayilapatti	Srivenkatesa Sago Factory.
4	South Arcot	Vridhachalam	Government Salt Glazed Pipe Factory.
5	Tirunelveli	Cheranmahadevi	M/s. Sun Paper Mills Ltd.

[No. F.6(23)/65-HI]

**S.O. 2999.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories mentioned in the Schedule below in sparse areas in the State of Bihar, hereby exempts them from the payment of the employer's special contribution leviable under chapter VA of the Act until the enforcement of the provisions of chapter V of that Act in those areas.

SCHEDULE

Sl. No.	Name of District	Name of area	Name of the factory
1	Champanan	Chouradano	M/s. Bihar Timber, P.O. Chouradano.
2	Hazaribagh	Chandrapura	M/s. Chandrapur Thermal Power Station D.V.C., P.O. Chandrapura.
		Hesla	M/s. Bharat Industrial Works, D-134/Simra Tand, P.O. Patrattu, Thermal Power.
		Bhandaridih	M/s. Asian Refractories Ltd., Bhandaridih P.O. Bermo.
3	Patna	Biharsharif	(1) M/s. Dying Finishing Plant, Industrial Estate.

Sl. No.	Name of District	Name of the area	Name of the factory
			(2) M/s. Central Preparatory Plant.
		Bihta . . .	M/s. Small Tannery, Bihta.
		Masauhari . . .	M/s. Om Parkash Industries.
		Neora . . .	M/s. Express Cable (P) Ltd.
4	Ranchi . . .	Jounha . . .	M/s. Ansi Lal Rochaldas & Co., Stone Crusher.
		Gumla . . .	M/s. Bihar State Transport Corporation.
		Jaruadih . . .	M/s. Jaiswal Clay Washeries, Chatu Pal.
5	Samthal Parganas . . .	Deoghar . . .	M/s. 132/33/11 K.V. Sub-Station.
6	Saran . . .	Chapra . . .	M/s. Bihar State Road Transport Corpon. Auto Mobile Workshop.

[No. F.6/24/65-HI]

**S.O. 3000.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories specified in the Schedule below, in sparse areas in the State of Kerala, hereby exempts the said factories from the payment of the employer's special contribution leviable under chapter VA of the Act until the enforcement of the provisions of chapter V of that Act in those areas.

THE SCHEDULE

Sl. No.	Name of District	Name of the area	Name of the factory
1	Cannanore . . .	Kuttaparamba . . .	The Deluxe Knitting Works Pvt. Ltd.
2	Eranakulam . . .	Ayiroor, Parur . . .	Associated Industries and Engineering Corporation.
3	Quilon . . .	Kakki . . .	(1) Temporary Mechanical and Electrical Repair Shop, M/s. Hindustan Construction Co., Ltd. (2) Temporary Automobile Repair Shop, M/s. Hindustan Construction Co., Ltd.
4	Trichur . . .	Mulloorkara . . .	Gulsar Match Factory.
5	Trivandrum . . .	(a) Aruvikara Nedumangad (b) Attingal . . .	(a) Head Water Works (b) Government of India Extension Centre.

[No. F.6/26/65-HI]

**S.O. 3001.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories mentioned in the Schedule below in sparse areas in the State of West Bengal, hereby exempts them from the payment of the employer's special contribution leviable under chapter VA of the Act until the enforcement of the provisions of Chapter V of that Act in those areas.

SCHEDULE

Sl. No.	Name of District	Name of area	Name of the factory
1	Jalpaiguri . . .	Hamiltonganj . . .	M/s. Progressive Engineering Corporation.
2	Murshidabad . . .	Farakka Barrage . . .	Central Workshop, Farakka Barrage Projects.

[No. F.6/28/64-HI]

*New Delhi, the 17th September 1965*

**S.O. 3002.**—In exercise of the powers conferred by sub-section (1) of section 10 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), and in supersession of the notification of the Government of India in the Department of Social Security No. S.O. 3451, dated the 21st September, 1964, the Central Government hereby appoints the following officers to be Inspectors for the purposes of the Coal Mines Provident Fund Scheme, Andhra Pradesh Coal Mines Provident Fund Scheme, Rajasthan Coal Mines Provident Fund Scheme, Coal Mines Bonus Scheme, Andhra Pradesh Coal Mines Bonus Scheme, Rajasthan Coal Mines Bonus Scheme and Assam Coal Mines Bonus Scheme and directs that they shall, in relation to Coal Mines, exercise the powers and perform the functions of Inspectors under the said Act in the States of West Bengal, Bihar, Madhya Pradesh, Orissa, Maharashtra, Andhra Pradesh, Rajasthan, Assam and Nagaland, namely:—

1. Shri P. Chandra, Coal Mines Provident Fund Commissioner.	
2. Shri S.D. Prasad, Officer-on-Special Duty.	
3. Shri R. Kumar . . . . .	} Regional Commissioners, Coal Mines Provident Fund.
4. Shri D.C. Gupta . . . . .	
5. Shri S.A. Moiz . . . . .	
6. Shri B.K. Sinha . . . . .	} Assistant Commissioners, Coal Mines Provident Fund.
7. Shri R.K. Verma . . . . .	
8. Shri O.P. Sharma . . . . .	
9. Shri N.G. Nandi . . . . .	} Assistant Commissioner (Accounts), Coal Mines Provident Fund
10. Shri A.B. Prasad . . . . .	
11. Shri S.P. Sharma . . . . .	
12. Shri N.C. Bhattacharjee . . . . .	} Coal Mines Provident Fund Inspectors.
13. Shri L.P. Sinha . . . . .	
14. Shri Laxmi Chandar . . . . .	
15. Shri B.R. Uppal . . . . .	
16. Shri P.N. Kacker . . . . .	
17. Shri K.M. Burman . . . . .	
18. Shri P.K. Bhattacharjee . . . . .	
19. Shri S.K. Saxena . . . . .	
20. Shri O.P. Agarwal . . . . .	
21. Shri M.K. Sinha . . . . .	
22. Shri R. K. Rajbanshi . . . . .	
23. Shri M.M. Kundu . . . . .	
24. Shri D.R. Bharti . . . . .	

[No. 2(350)/63-PF-I]

*New Delhi, the 20th September 1965*

**S.O. 3003.**—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 26th day of September, 1965, as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force), and Chapters V and VI [except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Kerala, namely:—

The areas within the revenue villages of Ongallur, Shoranur, Vaniamculam, Ottapalam, and Lakkidiperur in Ottapalam Taluk in Palghat District.

[No. F.13(28)/65-HI]

#### CORRIGENDA

*New Delhi, the 4th September 1965*

**S.O. 3004.**—In the Schedule to the notification of the Government of India in the Department of Social Security No. S.O. 951 dated the 19th March, 1965, published at pages 1044-45 in part II, section 3 (ii) of the Gazette of India dated the 27th March, 1965 against serial No. 12, for "Cooperation" occurring in column 4, read "Corporation".

[No. F.6/27/65-HI]



New Delhi, the 15th September 1965

**S.O. 3005.**—In the notification of the Government of India in the Department of Social Security No. S.O. 1295 dated the 9th April, 1965, published in the Gazette of India, Part II, Section 3, sub-section (ii) dated the 24th April, 1965, in item 4, for "Shri Baribandhu Behera, General Secretary, Mines and Forest Workers Union, Barbil", read "Shri Haribandhu Behera, General Secretary, Kconjhar Mines and Forest Workers' Union, Barbil".

[No 12/5/65/PF-II.]

DALJIT SINGH, Under Secy.

New Delhi the 7th September 1965

**S.O. 3006.**—In exercise of the powers conferred by section 73F of the Employees State Insurance Act, 1948 (34 of 1948), the Central Government hereby directs that the following amendment be made in the notification of the Government of India in the Department of Social Security published as S.O. 957 dated 19th March, 1965 namely:—

In the Schedule to the said notification for the entries against serial No. 4, the following entries shall be substituted, namely:—

(1)	(2)	(3)	(4)
"4	Guntur . . . Chirala . . .	M/s. Winphar Laboratoris, Manufacturers of Pharmaccuticals.	
	Tadepalli . . .	M/s. 132, K.V. Receiving Station."	

[No. F. 6/61/64-HI.]

S. A. AHMAD, Dy. Secy.

## MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 10th September 1965

**S.O. 3007.**—In exercise of the powers conferred by Section 5(1) of the Cinematograph Act, 1952 and sub-rule (3) of rule 9 read with sub-rule (2) of rule 9 and sub-rule (3) of rule 8 of the Cinematograph (Censorship) Rules, 1958, the Central Government hereby reappoints Shrimati Pushpalata Das as a member of the Advisory Panel of the said Board at Calcutta with immediate effect.

[No. F. 11/3/62-FC.]

## ORDERS

New Delhi, the 17th September 1965

**S.O. 3008.**—In pursuance of the Directions issued under the provisions of each of the enactments specified in the First Schedule annexed hereto, the Central Government after considering the recommendations of the Films Advisory Board, Bombay hereby approves the films specified in column 2 of the Second Schedule annexed hereto in Gujarati to be of the description specified against each in column 6 of the said Second Schedule.

### THE FIRST SCHEDULE

- (1) Sub-Section (4) of the Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).
- (2) Sub-Section (3) of Section 5 and Section 9 of the Bombay Cinemas (Regulation) Act, 1953 (Bombay Act XI of 1953).
- (3) Sub-Section (4) of Section 5 and Section 9 of the Saurashtra Cinemas (Regulation) Act, 1953 (Saurashtra Act XVII of 1953).

## THE SECOND SCHEDULE

Sl. No.	Title of the film.	Length 35mm	Name of the applicant	Name of the producer.	Whether a Scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film.
1	2	3	4	5	6
1	Mahitichitra No. 57.	271.27 M	Director of Information, Government of Gujarat Ahmedabad.		Film dealing with news and current events. (For release in Gujarat Circuit only).
2	Mahitichitra No. 58.	249.02 M		Do.	Do.

[No. F. 24/1/65-FP App. 1017]

**S.O. 3009**—In pursuance of the Directions issued under the provisions of the enactments specified in the First Schedule annexed hereto the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the Second Schedule annexed hereto in all their language versions to be of the description specified against each in column 6 of the said Second Schedule.

## THE FIRST SCHEDULE

- (1) Sub-Section (4) of the Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).
- (2) Sub-Section (3) of Section 5 and Section 9 of the Bombay Cinemas (Regulation) Act, 1953 (Bombay Act XI of 1953).
- (3) Sub-Section (4) of Section 5 and Section 9 of the Saurashtra Cinemas (Regulation) Act, 1953 (Saurashtra Act XVII of 1953).

## THE SECOND SCHEDULE

Sl. No.	Title of the film	Length 35 mm	Name of the applicant	Name of the Producer	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or documentary film.
1	2	3	4	5	6
1	Maharashtra News No. 158 (Hindi and Marathi).	304.19 M	Directorate of Publicity, Government of Maharashtra., Bombay.		Film dealing with news and current events (For Release in Maharashtra Circuit only).

1	2	3	4	5	6
2.	Maharashtra News No. 159 (Hindi and Marathi).	304M	Directorate of Publicity, Government of Maharashtra, Bombay.		Film dealing with news and current events (For Release in Maharashtra Circuit only).
3.	Peed Parai Janere (Hindi).	270 M	Do.		Do.
4.	Huskun Lauu Upamar (Marathi).	270 M	Do.		Do.
5.	Vanat Vidya Vase (Marathi)	296 M	Do.		Do.

[No. F. 24/1/65-FP App. 1018]

G. S. GUPTA, Dy. Secy.

## MINISTRY OF COMMERCE

*New Delhi, the 21st September 1965*

**S.O. 3010.**—In exercise of the powers conferred by sub-section (1) of section 17 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Commerce No. S.O. 3832 dated the 5th November, 1964, namely:—

In the said notification, for the existing proviso the following proviso shall be substituted, namely:—

“Provided that nothing in this notification, is so far as it relates to the closing of any such non-transferable specific delivery contract, shall apply to any such contract which is entered into between parties who are not members of a registered association.”

[No. 32(35)-Com(Genl)(FMC)/64-I]

**S.O. 3011.**—In exercise of the powers conferred by sub-section (1) of section 17 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Commerce No. S.O. 3835 dated the 5th November, 1964, namely:—

In the said notification, for the existing proviso the following proviso shall be substituted, namely:—

"Provided that nothing in this notification, in so far as it relates to the closing of any such non-transferable specific delivery contract, shall apply to any such contract which is entered into between parties who are not members of a registered association."

[No. 32(35)-Com(Gen)(FMC)/64-II]

K. K. SACHDEV, Under Secy.

(Office of the Chief Controller of Imports & Exports)

NOTICES

*New Delhi, the 17th September 1965*

**S.O. 3012.**—It is hereby notified that in exercise of the powers conferred by Clause 9 of the Imports (Control) Order, 1955, the Government of India, in the Ministry of Commerce, propose to cancel Licence No. P/CG/2046764/C/XX/21/C/H/21/CG. III, dated 16th July 1965 valued at Rs. 83,535/- only for the import of Machinery and accessories for the manufacture of portable-tools from General Currency Area except Union of South Africa and South West Africa granted by the Chief Controller of Imports and Exports, Udyog Bhavan, Maulana Azad Road, New Delhi, to M/s. Sussex Engineering Tools Industries, Bombay, unless sufficient cause against this is furnished to the Chief Controller of Imports and Exports, New Delhi within ten days of the date of issue of this notice by the said M/s. Sussex Engineering Tools Industries, Bombay or any Bank, or any other party, who may be interested in it.

2. It has been reported that the licence in question was obtained against fabricated recommendation.

3. In view of what is stated above, M/s. Sussex Engineering Tools Industries, Bombay, or any Bank or any other party, who may be interested in the said Licence No. P/CG/2046764/C/XX/21/C/H/21/CG. III dated 16th July 1965 are hereby directed not to enter into any commitments against the said licence and return the same immediately to the Chief Controller of Imports and Exports, New Delhi.

[No. CCI/I(C)/32/65/2430.]

M/s. Sussex Engineering Tools  
Industries, Causeway House, Appollo  
Bunder, Bombay-1.

*New Delhi, the 18th September 1965*

**S.O. 3013.**—It is hereby notified that in exercise of the powers conferred by Clause 9 of the Imports (Control) Order, 1955, the Government of India, in the Ministry of Commerce, propose to cancel Licence No. P/CG/2042409/C/TR/19/C/H/19/CG. III dated 21st August 1964 valued at Rs. 73922/- only for the import of Machinery, Accessories and Toolings for manufacture of portable tools, from General Currency Area except Union of South Africa and South West Africa granted by the Chief Controller of Imports and Exports, Udyog Bhavan, Maulana Azad Road, New Delhi, to M/s. Summit Engineering Industries, William Compund, Malad Marve Road, Malad, Bombay-64, unless sufficient cause against this is furnished to the Chief Controller of Imports and Exports, New Delhi within ten days of the date of issue of this notice by the said M/s. Summit Engineering Industries, Bombay or any Bank, or any other party, who may be interested in it.

2. It has been reported that the licence in question was obtained against the fabricated recommendation.

3. In view of what is stated above, M/s. Summit Engineering Industries, William Compund, Malad Marve Road Malad, Bombay-64 or any Bank or any other party, who may be interested in the said Licence No. P/CG/2042409/C/TR/19/C/H/19/CG. III dated 21st August 1964 are hereby directed not to enter into any commitments against the said licence and return the same immediately to the Chief Controller of Imports and Exports, New Delhi.

M/s. Summit Engineering Industries,  
William Compund, Malad Marve Road,  
Malad, Bombay-64.  
(Maharashtra).

[No. CCI/(C)/17/65/2468.]

D. P. KARNIK,

Jt. Chief Controller of Imports and Exports.

**MINISTRY OF INDUSTRY & SUPPLY**

(Department of Industry)

New Delhi, the 8th September 1965

**S.O. 3014.**—In exercise of the powers conferred by clause (1) of article 299 of the Constitution, the President hereby directs that the transfer deeds and other instruments required to be executed in the exercise of the executive power of the Union, in connection with the purchase of shares in Jessop & Company Limited, Calcutta by the Government of India from M/s. Sahu Jain Ltd. and others by virtue of an Agreement of Sale dated 18th August, 1965, shall be executed on his behalf by Shri B. N. Atrishi, Joint Controller of Patents and Designs, Calcutta.

[No. F. 8-3/65-EI(M).]

(Sd.) Illegible, Secy..

(Department of Industry)

**CORRIGENDUM**

New Delhi, the 14th September 1965

**S.O. 3015/IDRA/18G/65.**—In the Ministry of Industry and Supply (Department of Industry) Order S.O. 2511/IDRA/18G/65, dated the 6th August, 1965 published in Part II, Section 3, Sub-section (ii) in the Gazette of India, dated the 14th August, 1965 the words 'Sikka Works' appearing after the name of the producer at Serial No. 4 may be deleted.

[No. 8-17/65-CEM. II.]

R. NATARAJAN, Under Secy.

(Department of Industry)


(Indian Standards Institution)

New Delhi, the 8th September 1965

**S.O. 3016.**—In pursuance of sub-rule (2) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, as amended in 1962, the Indian Standards Institution hereby notifies that the Standard Mark, details of which are given in the Schedule hereto annexed has been rescinded with effect from 2 September 1965.

**THE SCHEDULE**

Sl. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	No. and Date of the Gazette, Notification in which specifying of the Standard Mark was notified.
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1.		Toilet Soap	IS 284-1951 Specification for toilet Soap.	S.O 1292 dated 6 June 1959.
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[No. MD/17 : 2.]


**S.O. 3017.**—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, as amended in 1962, the Indian Standards Institution hereby notifies that the Standard Mark, design of which together with the verbal description of the design and the title of the relevant Indian Standard given in the Schedule hereto annexed, has been specified.

This Standard Mark, for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952, as amended in 1961, and the rules and regulations framed thereunder, shall come into force with effect from 2 September 1965.

## THE SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Products to which applicable	No. & Title of Relevant Indian Standard	Verbal description of the design of the Standard Mark
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(1)	(2)	(3)	(4)	(5)
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I.		Toilet Soaps	IS:2888-1964 Specification for toilet soaps.	The monogram of the Indian Standards Institution consisting of letters ISI, drawn in the exact style and relative proportions as indicated in col. (2) the number designation of the Indian Standard being inscribed on the top side and the type designation being inscribed in the bottom side of the monogram as indicated in the design.
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[No. MD/17 : 2.]

**S.O. 3018**—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962 and 1964, the Indian Standard Institution hereby notifies that the marking fee per unit for Toilet Soaps details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 2 September 1965.

## THE SCHEDULE

Sl. No.	Product/Class of Products	No. and title of relevant Indian Standard	Unit	Marking Fee per Unit
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(1)	(2)	(3)	(4)	(5)
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1	Toilet soaps	IS : 2888-1964 Specification for Toilet soaps.	One metric tonne	50 Paise per unit for the first 3000 units  25 Paise per unit for the 3001st unit and above.
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[No. MD/18 : 2.]

New Delhi, the 10th September 1965

**S.O. 3019**—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962 and 1964, the Indian Standards Institution hereby notifies that sixtyseven licences particulars of which are given in the Schedule hereto annexed, have been renewed.

THE SCHEDULE

Sl. No.	Licence No. and Date	Period of From	Validity To	Name and Address of the Licensee	Article(s) Covered by the Licence	Relevant Indian Standard (s)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	CM/L-1 8-8-1955.	15-8-65	15-8-68	The Aluminium Industries Ltd., No. 1, Ceramic Factory Road, Kundara (Kerala).	Steel-cored and plain stranded aluminium conductors of all types and sizes specified in IS:398-1961.	IS:398-1961 Specification for hard-drawn stranded aluminium and steel cored aluminium conductors for overhead power transmission purposes ( <i>revised</i> ).
2	CM/L-13 3-9-1956.	6-9-65	31-8-66	M/s Lallubhai Amichand Pvt. Ltd., 48/50 Kansara Chawl, Bombay—2.	Wrought aluminium and aluminium alloy utensils.	IS:21-1959 Specification for wrought aluminium and aluminium alloys for utensils ( <i>second revision</i> ).
3	CM/L-66 7-2-1958.	1-9-65	30-11-65	M/s Woodcrafts (Assam), Pro: Jayshree Tea & Industries Ltd., P.O. Mariani, Distt. Sibsagar (Assam).	Tea-chest plywood panels.	IS:10-1953 Specification for plywood tea-chest ( <i>revised</i> ).
4	CM/L-67 7-2-1958.	1-9-65	28-2-66	M/s Woodcraft Products Ltd., P-46 A, C.I.T. Scheme XLV, Radha Bazar Lane, Calcutta-1.	Tea-chest plywood panels.	IS:10-1953 Specification for plywood tea-chests ( <i>revised</i> ).
5	CM/L-136 3-8-1959	17-8-65	15-8-66	M/s Liberty Chemical Works, Nagardas Road, Mogra West, Andheri (East), Bombay.	Sodium thiosulphate, photographic grade.	IS:246-1964 Specification for sodium thiosulphate, photographic grade ( <i>revised</i> ).
6	CM/L-137 3-8-1959	17-8-65	15-8-66	The Assam Railways & Trading Co. Ltd., Margherita, Assam.	Tea-chest plywood panels.	IS:10-1953 Specification for plywood tea-chests ( <i>revised</i> ).
7	CM/L-200 15-9-1960	15-8-65	15-8-66	M/s Bharat Pulverising Mills Private Ltd., 589 Thiruvottiyur High Road, Madras-19.	DDT dusting powders.	IS:564-1961 Specification for DDT dusting powders ( <i>revised</i> ).
8	CM/L-202 15-6-1960	15-8-66	15-8-66	M/s Bharat Pulverising Mills Private Ltd., 589 Thiruvottiyur High Road, Madras-19	BHC dusting powders.	IS:561-1962 Specification for BHC dusting powders ( <i>second revision</i> ).

(1)	(2)	(3)	(4)	(5)	(6)	(7)
9	CM/L-208 29-7-1960	15-8-65	15-8-66	M/s Bengal Chemical & Pharmaceutical Works Ltd., 6 Ganesh Chunder Avenue, Calcutta.	Naphthalene.	IS:539-1955 Specification for naphthalene.
10	CM/L-212 25-8-1960	1-9-65	31-8-66	M/s Cassava (India), 21 Gour Laha Street, Calcutta-6.	Tea-chest metal fittings.	IS:10-1964 Specification for plywood tea-chests ( <i>second revision</i> ).
11	CM/L-213 25-8-1960	1-9-65	21-8-66	M/s Plywood Manufacturers Co-operative Society Ltd., 11/3A, Canal Circular Road, Calcutta-4.	Tea-chest plywood panels.	IS:10-1953 Specification for plywood tea-chests ( <i>revised</i> ).
12	CM/L-216 29-8-1960	1-9-65	31-8-68	M/s Fort Gloster Industries Ltd., 14 Netaji Subhas Road, Calcutta.	Rubber insulated cables and flexible cords for electric power and lighting (250/440 and 650/1100 volts grade).	(i) IS:434 (Part I)-1964 Specification for rubber insulated cables with copper conductors ( <i>revised</i> ). (ii) IS:434 (Part II)-1964 Specification for rubber insulated cables with aluminium conductors ( <i>revised</i> ).
13	CM/L-330 7-8-1961	15-8-65	15-8-66	M/s Murarka Engineering Works, 28/37 Najafgarh Road, Industrial Area, New Delhi.	(i) Spring leaf for automobile suspension. (ii) Leaf spring for automobile suspension.	IS:1135-1957 Specification for general requirements for leaf springs for automobiles suspension.
14	CM/L-332 10-8-1961	15-8-65	15-8-66	M/s Tata Fison Industries Ltd., Union Bank Building, Dalal Street, Bombay.	Endrin emulsifiable concentrates.	IS:1310-1958 Specification for endrin emulsifiable concentrates.
15	CM/L-333 24-8-1961	1-9-65	31-8-66	M/s Tata Fison Industries Ltd., Pandit Motilal Nehru Road, Jamuna Kinara, Agra having their office at Union Bank Building, Dalal Street, Bombay-1.	DDT dusting powders.	IS:564-1961 Specification for DDT dusting powders ( <i>revised</i> ).
16	CM/L-385 14-2-1962	16-8-65	15-11-65	M/s Assam Saw Mills & Timber Co. Ltd., 62 Ballygunge Circular Road, (1 Rainey Park), Calcutta-19 (Factory at Namsoi, NEFA, Assam).	Tea-chest plywood panels.	IS:10-1953 Specification for plywood tea-chests ( <i>revised</i> ).



17	CM/L-439 31-7-1962	16-8-65	15-8-66	M/s Nabhari Engineering Works, Shah Industrial Estate, Amboli Hill, Versova Road, Andheri (West), Bombay-58 having their office at 480 Kalbadebi Road, Bombay-2.	Small CC and universal electric motors with class 'A' insulation.	IS : 996-1959 Specification for small AC and universal electric motors with class 'A' insulation.
18	CM/L-440 31-7-1962	16-8-65	15-8-66	M/s Mysore Insecticides Co., Private Ltd., 18 Vaidyanatha Mudali Street, Tondiarpet, Madras-21 having their office at 31-A North Beach Road, Madras-1.	Endrin emulsifiable concentrates.	IS : 1310-1958 Specification for endrin emulsifiable concentrates.
19	CM/L-441 31-7-1962	16-8-65	15-8-66	M/s Engineering Products Ltd., Jogeshwar Estate, Ghod Bunder Road, Jogeshwari, Bombay-60.	Three-phase induction motors up to 10 hp.	IS : 325-1961 Specification for three-phase induction motors (second revision).
20	CM/L-442 20-8-1962	1-9-65	31-8-66	M/s Kamani Metals & Alloys Ltd., Agra Road, Kurla, Bombay-70.	Hot rolled brass sheets and strips grade BS 60A, for the manufacture of utensils.	IS : 422-1959 Specification for brass sheet and strip for the manufacture of utensils.
21	CM/L-443 20-8-1962	1-9-65	31-8-66	M/s Kamani Metals & Alloys Ltd., Agra Road, Kurla, Bombay-70.	Hot rolled copper sheets and strips, grade 1, for the manufacture of utensils and for the general purposes.	IS : 1550-1960 Specification for copper sheet and strip for the manufacture of utensils and for the general purposes.
22	CM/L-444 20-8-1962	1-9-65	31-8-66	M/s Hindustan Steel Ltd., Rourkela Steel Project, Rourkela, Orissa having their registered office at P.O. Hinoo, Ranchi.	Structural steel (standard quality).	IS : 226-1962 Specification for structural steel (standard quality) (third revision).
23	CM/L-445 20-8-1962	1-9-65	31-8-68	M/s Hindustan Steel Ltd., Rourkela Steel Project, Rourkela, Orissa having their office at P.O. Hinoo, Ranchi.	Structural steel (high tensile).	IS : 961-1962 Specification for structural steel (high tensile) (revised).
24	CM/L-446 20-8-1962	1-9-65	31-8-68	M/s Hindustan Steel Ltd., Rourkela Steel Project, Rourkela Orissa having registered office at P.O. Hinoo, Ranchi.	Cold rolled carbon steel sheets.	IS : 513-1963 Specification for cold rolled carbon steel sheets (revised).
25	CM/L-447 20-8-1962	1-9-65	31-8-68	M/s Hindustan Steel Ltd., Rourkela Steel Project, Rourkela, Orissa having their registered office at P.O. Hinoo, Ranchi.	Hot rolled carbon steel sheet and strip.	IS : 1079-1963 Specification for hot rolled carbon steel sheet and strip (revised).

(1)	(2)	(3)	(4)	(5)	(6)	(7)		
26	CM/L-448 24-8-1962	1-9-65	31-9-66	The Bharat Plywood & Timber Products (P) Ltd., Cannanore North Malabar, (Factory at Baliapatam)	Tea-chest plywood panels	IS : 10-1953 Specification for plywood tea-chests (revised).		
27	CM/L-449 24-8-1962	1-9-65	31-8-66	M/s Victor Cables Corporation, 802 Joshi Road, Karol Bagh, New Delhi having their office at Sadar Bazar, Delhi.	Type (a) VIR Cables for fixed Wiring (i) TRS (tough rubber sheathed) (ii) Braided and compounded.  (iii) Weatherproof.  (b) VIR Flexible Cords (iv) Twisted twin and braided.	Voltage Grade 250/ 440 volts 250/ 440 and 650/ 1100 volts 250/ 440 and 650/ 1100 volts 250/ 440 volts	Con- ductor  Copper or Alu- mi- nium  Copper per only	IS : 434 (Part I)-1964 Specification for rubber insulated cables with copper conductors (revised). IS : 434 (Part II)-1964 Specification for rubber insulated cables with aluminium conductors (revised).
28	CM/L-563 18-7-1963	15-8-65	15-8-66	M/s Bharat Pulverising Mills Private Ltd., Chokala, Andheri-Kurla Road, Bombay-69 having their office at 31-A Sayani Road, Bombay-28.	Parathion emulsifiable concentrates.	IS : 2129-1962 Specification for parathion emulsifiable concentrates.		
29	CM/L-565 25-7-1963	15-8-65	15-8-66	M/s Devidayal Stainless Steel Industries Pvt. Ltd., Reay Road, Darukhana, Bombay-10.	Wrought aluminium utensils, Grade SIC.	IS : 21-1959 Specification for wrought aluminium and aluminium alloy for utensils.		
30	CM/L-568 8-8-1963	1-9-65	31-8-66	M/s Tata Fison Industries Ltd., Pandit Motilal Nehru Road, Jamuna Kinara, Agra having their office at Union Bank Building, Dalal Street, Fort, Bombay-1.	Copper oxychloride water dispersible powder concentrates.	IS : 1507-1969 Specification for copper oxychloride water dispersible powder concentrates.		

31	CM/L-569 8-8-1963	1-9-65	31-8-66	M/s Tata Fison Industries Ltd., Pandit Motilal Nehru Road, Jamuna Kinara, Agra having their office at Union Bank, Building, Dalal Street, Fort, Bombay-1.	Endrin emulsifiable concentrates	IS : 1310-1958 Specification for endrin emulsifiable concentrates.
32	CM/L-706 29-6-1964	1-8-65	31-7-66	M/s. Rama Rolling Mills, 156 Manicktola Main Road, Calcutta	Structural steel (standard quality).	IS:226-1962 Specification for structural steel (standard quality) (third revision).
33	CM/L-707 29-6-1964	1-8-65	31-7-66	M/s. Rama Rolling Mills, 156 Manicktola Main Road, Calcutta	Structural steel (ordinary quality)	IS:1977-1962 Specification for structural steel (ordinary quality).
34	CM/L-712 29-6-1964	1-8-65	31-7-66	M/s. Sangneria Co., Private Ltd., 9 Jagmohan Mullick Lane, Calcutta	Structural steel (standard quality)	IS:226-1962 Specification for structural steel (standard quality) (third revision).
35	CM/L-713 29-6-1964	1-8-65	31-7-66	M/s. Sangneria Co., Private Ltd., 9 Jagmohan Mullick Lane, Calcutta.	Structural steel (ordinary quality)	IS:1977-1962 Specification for structural steel (ordinary quality).
36	CM/L-716 29-6-1964	1-8-65	31-7-66	M/s. Steel Rolling Mills of Bengal Limited, 28 Strand Road, Calcutta.	Structural steel (standard quality)	IS-226-1962 Specification for structural steel (standard quality) (third revision).
37	CM/L-717 29-6-1964	1-8-65	31-7-66	M/s. Steel Rolling Mills of Bengal Limited, 28 Strand Road, Calcutta.	Structural steel (ordinary quality)	IS:1977-1962 Specification for structural steel (ordinary quality).
38	CM/L-734 29-6-1964	1-8-65	31-7-66	M/s Saraswati Steel Rolling Mills, Jullundur City.	Structural steel (Standard quality)	IS:226-1962 Specification for structural steel (standard quality) (third revision)
39	CM/L-735 29-6-1964	1-8-65	31-7-66	M/s Saraswati Steel Rolling Mills, Jullundur City.	Structural steel (ordinary quality)	IS:1977-1962 Specification for structural steel (ordinary quality).
40	CM/L-742 21-7-1964	16-8-65	15-8-66	M/s. Croplife Chemicals Pvt. Ltd., 2/4 Central Park, Jadavpur, Calcutta having their office at 27 Bentinck Street, Calcutta-1.	Endrin emulsifiable concentrates	IS-1310-1958 Specification for endrin emulsifiable concentrates.
41	CM/L-743 21-7-1964	16-8-65	15-8-66	M/s. Croplife Chemicals Private Ltd., 2/4 Central Park, Jadavpur, Calcutta having their office at 27 Bentinck Street, Calcutta-1	Deildrin emulsifiable concentrates	IS:1354-1962 Specification for deildrin emulsifiable concentrates.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
42	CM/L-744 23-7-1964	16-8-65	15-8-66	M/s. Bengal Potteries Ltd., 3 Pagaladanga Road, Calcutta having their office at 45 Tangra Road, Calcutta-15.	Porcelain insulators for overhead power lines (11 kV, pin type).	IS:731-1963 Specification for porcelain insulators for overhead power lines (3.3 kV and above) (revised).
43	CM/L-745 24-7-1964	16-8-65	15-8-66	M/s. Lloyd Bitumen Products, A5, A6, A7 Bone-Hooghly Industrial Estate, B.T. Road, Barangore having their office at 4A Royd Street, Calcutta-16.	Hot applied sealing compounds for joints in concrete Grade 'B' (jet fuel resistant).	IS:1834-1961 Specification for hot applied sealing compounds for joints in concrete.
44	CM/L-746 24-7-1964	1-9-65	31-8-66	M/s. Speedwell Electricals Private Ltd., B-1 Industrial Estate, Sanatnagar, Hyderabad.	Fractional horse power electric motors, single phase (1 hp) and three-phase.	IS:996-1959 Specification for small AC and universal electric motors with class 'A' insulation.
45	CM/L-747 28-7-1964	1-9-65	31-8-66	M/s. Radio & Electric trials Mfg. Co., Ltd., Mysore Road, Bangalore-18.	Water meters (domestic type) dry-dial type, 15 mm and 20 mm sizes.	IS:779-1961 Specification for water meters (domestic type).
46	CM/L-750 30-7-1964	1-9-65	31-8-66	M/s. Ankar Industries, Jessore Road, P.O. Madhyamgram, 24 Parganas (West Bengal).	BHC emulsifiable concentrates.	IS:632-1958 Specification for emulsifiable concentrates.
47	CM/L-751 30-7-1964	17-8-65	15-7-66	M/s. Himachal Government Rosin & Turpentine Factory, Nahan (Himachal Pradesh).	Rosin (gum rosin) types-pale, medium and dark.	IS:553-1955 Specification for rosin (gum rosin).
48	CM/L-752 31-7-1964	1-9-65	31-8-66	M/s. Indian Plastics Ltd., Poisar Bridge, Kandivali, Bombay-67 NB.	Plastic water-closet seats and covers.	IS-2548-1963 Specification for plastic water-closet seats and covers.
49	CM/L-753 4-8-1964	16-8-65	15-8-66	M/s. Hindustan Tyfords Ltd., Bahadurgarh, Distt. Rohtak.	Flushing cisterns for water closets and urinals (valveless siphonic type) vitreous china.	IS:774-1960 Specification for flushing cisterns for water closets and urinals.
50	CM/L-754 4-8-1964	16-8-65	15-8-66	M/s Hindusthan Tywfords Ltd., Bahadurgarh, Distt. Rohtak.	Vitreous sanitary appliances consisting of : (1) Squatting pans, long pan pattern, size 450mm, 630 mm, 580 mm and 680 mm ; (2) squatting pans, orissa pattern, size 630 x 450 mm, 580 x 440 mm ;	IS : 2556-1963 Specification for vitreous sanitary appliances (vitreous china).

					(3) wash basins, flat back size 550 × 400 mm, 450 × 300 mm, 630 × 450 mm ;		
					(4) sinks, laboratory size 400 × 250 × 150 mm ;		
					(5) urinals (bowls flat back)		
51	CM/L-755	12-8-1964	1-9-65	31-8-66	M/s Dyer Meakin Breweries Ltd., Mohan Nagar, Ghazia- bad (U.P.)	Malt extract	IS : 2404-1963 Specifi- cation for malt extract
52	CM/L-756	30-7-1964	1-9-65	31-8-66	M/s Sree Venkateswara Minerals (Private) Ltd., 3 Elaiya Mudali Street, Tondiarpet, Madras- 21	DDT dusting powders	IS : 564-1961 Specification <sup>n</sup> for DDT dusting powder <sup>s</sup> (revised)
53	CM/L-759	19-8-1964	1-9-65	31-8-66	M/s Indian Cable & Wire In- dustries, C32/34 Industrial Estate, Guindy, Madras-32	Type Voltage VIR Cables for Fixed Grade Wiring	IS : 434 (Part I)-1964 Specification for rubber insulated cables with copper conductors (re- vised)
					(i) TRS (tough rubber Sheathed	250/ 440 volts	Copper only
					(ii) Braided and com- pounded	250/ 440 and 650/ 1100 volts	
54	CM/L-763	24-8-1964	1-9-65	31-8-66	M/s Krishna Steel Industries Pvt. Ltd., 29-30 Vaswani Man- sion, 120 Dinshaw Vacha Road, Churchgate Reclama- tion, Post Box No. 93-A, Bombay	Structural steel (standard quality)	IS : 226-1962 Specification for structural steel (stan- dard quality) (third revision)
55	CM/L-764	24-8-1964	1-9-65	31-8-66	M/s Krishna Steel Industries Pvt. Ltd., 29-30 Vaswani Man- sion, 120 Dinshaw Vacha Road, Churchgate Reclama- tion, Post Box No. 93-A, Bombay	Structural steel ordinary quality)	IS : 1977-1962 Specifica- tion for structural steel (ordinary quality)
56	CM/L-765	24-8-1964	1-9-65	31-8-66	The Punjab Steel Rolling Mills, Old Station, Baroda.	Structural steel (standard quality)	IS : 226-1962 Specification for structural steel (stan- dard quality) (third revision)

(1)	(2)	(3)	(4)	(5)	(6)	(7)
57	CM/L-765 24-3-1964	-9-55	31-8-66	The Punjab Steel Rolling Mills, Old Station, Baroda	Structural steel (ordinary quality)	IS : 1977-1962 Specification for structural steel (ordinary quality)
58	CM/L-767 24-3-1964	1-9-65	31-8-66	M/s Indian Rolling Mills, 79 Fazalganj, Kanpur	Structural steel (standard quality)	IS : 226-1962 Specification for structural steel (standard quality) (third revision)
59	CM/L-763 24-3-1964	1-9-65	31-8-66	M/s Indian Rolling Mills, 79 Fazalganj, Kanpur	Structural steel (ordinary quality)	IS : 1977-1962 Specification for structural steel (ordinary quality)
60	CM/L-769 24-3-1964	1-9-65	31-8-66	M/s Rathi Steel Rolling Mills, Loni Road, Shahdara, Delhi-32	Structural steel (standard quality)	IS : 226-1962 Specification for structural steel (standard quality) (third revision)
61	CM/L-770 24-3-1964	1-9-65	31-8-66	M/s Rathi Steel Rolling Mills, Loni Road, Shahdara, Delhi-32	Structural steel (ordinary quality)	IS : 1977-1962 Specification for structural steel (ordinary quality)
62	CM/L-771 24-3-1964	1-9-65	31-8-66	M/s Taj Iron & Steel Works Pvt. Ltd., Taj Manzil, 247 Maulana Azad Road, Bombay-8	Structural steel (standard quality)	IS : 226-1962 Specification for structural steel (standard quality) (third revision)
63	CM/L-772 24-3-1964	1-9-65	31-8-66	M/s Taj Iron & Steel Works Pvt. Ltd., Taj Manzil, 247 Maulana Azad Road, Bombay-8	Structural steel (ordinary quality)	IS : 1977-1962 Specification for structural steel (ordinary quality)
64	CM/L-773 24-3-1964	1-9-65	31-8-66	M/s Ramkrishnan Kulwant Rai, 15/16 Kondi Chetty Street, Madras-1	Structural steel (ordinary quality)	IS : 1977-1962 Specification for structural steel (ordinary quality)
65	CM/L-778 27-8-1964	1-9-65	31-8-66	M/s Oriental Power Cables Ltd. Cablenagar Distt. Kota (Rajasthan)	Paper insulated lead sheathed cables (with aluminium conductors) for electricity supply up to and including 22 KV	IS : 692-1957 Specification for paper insulated lead sheathed cables for electricity supply
66	CM/L-797 30-9-1964	1-10-65	30-9-66	M/s Rathi Brothers, Loni Road, Shahdara, Delhi-32	Structural steel (standard quality)	IS : 226-1962 Specification for structural steel (standard quality) (third revision)
67	CM/L-798 30-9-1964	1-10-65	30-9-66	M/s Rathi Brothers, Loni Road, Shahdara, Delhi-32	Structural steel (ordinary quality)	IS : 1977-1962 Specification for structural steel (ordinary quality)

**SO/3020** In pursuance of sub-regulation (1) of regulation 8 of the Indian Standard Institution (Certification Marks), Regulations, 1955, the Indian Standards Institution hereby notifies that thirteen licences, particulars of which are given in the Schedule hereto annexed, have been granted authorizing the licensees to use the Standards Mark.

# THE SCHEDULE

Sl. No.	Licence No. and Date	Period of Validity From	To	Name and Address of the Licensee	Article /Process covered by Licence	the Relevant Indian Standard
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	CM/L-1122 6-8-1965	16-8-65	15-8-66	M/s Cyanamid India Ltd., Atul Post Office, Via Bulsar, having their Registered office at The International, 16 Queen's Road, Bombay-1.	Malathion emulsifiable concentrates	IS-2567-1963 Specification for malathion emulsifiable concentrates.
2	CM/L1123 12-8-1965	1-9-65	31-8-66	M/s General Engineering & Electric Works, 9 Dinoo Lane, Howrah	Three phase induction motors, 1 HP only	IS:325-1951 Specification for three phase induction motors (second revision)
3	CM/L-1124 12-8-1965	1-9-65	31-8-1966	M/s General Engineering & Electric Works, 9 Dinoo Lane, Howrah.	Small AC electric motors with Class 'A' insulation, 1 HP only, single phase capacitor start	IS:996-1959 Specification for Small AC and universal electric motors with class 'A' insulation.
4	CM/L-1125 12-8-1965	16-8-65	15-8-66	The Fort William Co. Ltd., (Steel Wire & Rope Division), 6/A.G.T. Road, Konnagar, Dt. Hooghly, West Bengal having their Regd. office at 14, Netaji Subhas Road, Calcutta-1.	(i) steel wire ropes for winding purposes in mines (ii) steel wire ropes for haulage purposes in mines	IS:1855-1961 Specification for steel wire rope for winding purposes in mines. IS:1856-1961 Specification for steel wire ropes for haulage purposes in mines.
5	CM/L-1126 12-8-1965	16-8-65	15-8-66	The Fort William Co. Ltd., (Steel Wire & Rope Division), 6/A G.T. Road, Konnagar, Dt. Hooghly West Bengal having their Regd. office at 14, Netaji Subhas Road, Calcutta-1.	(i) steel wire ropes for general engineering purposes (ii) round strand galvanized steel wire ropes for shipping purposes	IS:2266-1963 Specification for steel wire ropes for general engineering purposes. IS:2581-1963 Specification for round strand galvanized steel wire ropes for shipping purposes.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
6	CM/L-1127 12-8-1965	1-9-65	31-8-66	M/s Express Cables Private Ltd., P.O. Neora, Distt. Patna having their Head office at 51 Stephen House, 4 Delhousie Square East, Calcutta-1.	Hard-drawn stranded aluminium and steel cored aluminium conductors for overhead power transmissoin purposes.	IS:398-1961 Specific ation for hard drawn stranded aluminium and steel-cored aluminium conductors for overhead power transmission purposes (revised).
7	CM/L-1128 12-8-1965	1-9-65	31-8-66	The Calcutta Silk Manufacturing Company Ltd., 23.B.T.Road P.O. Suckchar (24 Parganas) having their office at 37, Vivekananda Road, Calcutta-7.	Rayon satin, variety No. 208 only	IS:1453-1959 Specification for rayon satin.
8	CM/L-1129 16-8-1965	1-9-65	31-8-66	The Everest Desiccated Coconut Industries, 6A, F. Ward, Lonavla (Maharashtra).	Desiccated coconut (fine)	IS:966-1962 Specification for desiccated coconut.
9	CM/L-1130 25-8-1965	1-9-65	31-8-66	M/s Sarvodaya Resin Works, (Prop. M/s Prabhat General Agencies) of Jullundur Road, Hoshiarpur (Punjab).	Rosin (Gum rosin) types pale medium nad dark	IS:553-1955 Specification for rosin (gum rosin).
10	CM/L-1131 27-8-1965	16-9-65	15-9-66	M/s Traco Cable Co. Ltd., Irimpanam, Thiruvankulam Village, Kanayannur Taluk, Ernakulam District, Kerala State.	PVC insulated cables single core (unsheathed) 250/440 volts grade with copper or aluminium conductors	IS:694(Part I)-1964 Specification for PVC insulated cables (for voltages upto 1100 volts) with copper conductors IS:694 (Part II)-1964 Specification for PVC insulated cables (for voltages upto 1100 volts) with aluminium conductors.
11	CM/L-1132 27-8-1965	16-9-65	15-9-66	M/s All India Medical Corporation, Simpoli Road, Borivli West, Bombay-66, having their office at 185 Princess Street, Bombay-2.	Formulations based on phenyl mercury acetate	IS-2357-1963 Specification for formulations based on phenyl mercury acetate.
12	CM/L-1133 30-8-1965	16-9-65	15-9-66	M/s Hindustan Steel Ltd., Bhilai Steel Plant, Bhailai-1, Distt. Durg (M.P.) having their Regd office at P.O. Hinoo, Ranchi (Bihar).	Carbon steel bars for production of machined parts for general engineering purposes	IS-2073-1962 Specification for carbon steel bars for production of machined parts for general engineering purposes.



13. CM/L-1134  
31-8-1965.

16-9-65 15-9-66 M/s. Unitex Company, 86/255, Chlordane dusting powders.  
G.T. Road, Kanpur having  
their office at 117, Civil Lines,  
Kanpur.

IS: 2864-1964. Specification for  
chlordane dusting powders.

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[No. MD/33-16]

**S.O. 3021.**—In partial modification of the Notification published under S.O. 2488 dated 27 July 1965 in the Gazette of India, Part II, Section 3(ii) dated 7 August 1965, it is hereby notified that this Institution has recognized with certain modifications B.S. 3084:1963 Specification for metallic slide fasteners as IS:3148-1965 Specification for metallic slide fasteners.

[No. MD/13:2:1]

*New Delhi, the 13th September 1965*

**S.O. 3022.**—In licence No. CM/L-747 dated 28th July 1964 held by M/s. Radio & Electricals Mfg. Co. Ltd., Bangalore, the details of which are published under S.O. 3487 dated 4 August 1964 in the Gazette of India, Part II, Section 3, Sub-section 3(ii) dated 3 October 1964 the list of articles has been revised as under with effect from 10 August 1965:

*Water Meters (Domestic Type)*

Dry-Dial Type, 15 mm and 20 mm sizes.

[No. MD/12:1239]

**S.O. 3023.**—In licence No. CM/L-529 dated 19 April 1963 held by M/s. Jaipur Maize Products Company, Jaipur the details of which are published under S.O. 2131 dated 14 June 1965 in the Gazette of India, Part II, Section 3, Sub-section 3(ii) dated 3 July 1965 the list of articles has been revised as under with effect from 5th August, 1965:

12.5 and 15 litres capacity flushing cisterns, bell type, for water closets and urinals.

[No. MD/12:990]

**S.O. 3024.**—In licence No. CM/L-1015 dated 26 February 1965 held by M/s. Capstan Meters (India) Ltd., Jaipur the details of which are published under S.O. 987 dated 15 March, 1965 in the Gazette of India, Part II, Section 3, Sub-section 3(ii) dated 27 March 1965 the list of articles has been revised as under with effect from 10 August 1965:

*Water Meters (Domestic Type)*

(a) Dry-Dial Type—15 mm, 20 mm, 25 mm and 40 mm size;

(b) Wet-Dial Type—15 mm size.

[No. MD/12:1671]

New Delhi, the 15th September 1965

**S.O. 3025.**—The Certification Marks Licences, details of which are given hereafter have lapsed or their renewal deferred.

Sl. No.	Licence No. and Date	Licensee's Name and Address	Article and the Indian Standard Number	Gazette Notification Notifying Grant of Licence	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
1.	CM/L-526 28-3-1963.	M/s. United Engineering Industries, G.T. Road, Pasaunda, Ghaziabad.	Bicycle free-wheels—IS: 1283-1958.	S.O. 1145 20-4-1963.	Renewal of this licence was deferred after 14-4-1964. It has now to be treated as lapsed.
2.	CM/L-560 18-7-1963.	The Electric Co. of India Pvt. Ltd., 49, Parsi Panchayat Road, Andheri East, Bombay-58.	Metal clad switches, 15 & 30 amp., 250 volts—IS: 1567-1960.	S.O. 2372 24-8-1963.	Renewal deferred after 14-8-1965.
3.	CM/L-566 26-7-1963.	M/s. Ideal Electrical Industries, Viswas Nagar, Delhi-Shahdara.	Metal clad switches, 15 amp., 250 volts—IS: 1567-1960.		Renewal deferred after 31-8-1965.
4.	CM/L-757 13-8-1964.	M/s. Pelican Ceramic Industries, Mah- papur, P.O. Gurgaon Road, New Delhi.	Fuse bases and fuse carriers, rewirable type, capacity 15 and 30 amp., 250 and 500 volts, 60, 100 and 200 amp., 500 volts—IS: 2086-1963.		Renewal deferred after 31-8-1965.
5.	CM/L-762 21-8-1964.	M/s. Zenith Fire Services, 28, Parel Tank Road, Amberwadi, Bombay-33.	Portable chemical fire extinguisher, foam type—IX: 933-1959 and Portable chemical fire extinguisher, soda acid type—IS: 934-1960.	S.O. 3553 10-10-1964.	Renewal deferred after 31-8-1965.

[No. MD/33:16/C]

**S.O. 3026.**—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962 and 1964, the Indian Standards Institution hereby notifies that the marking fee (s) per unit for malathion, technical and chlordane dusting powders, details of which are given in the Schedule hereto annexed, have been determined and the fee(s) shall come into force with effect from the dates shown against each.

THE SCHEDULE


Sl. No.	Product/Class of Products	No. and title of relevant Indian Standard	Unit	Marking Fee per Unit	Date of effect
1	2	3	4	5	6
1.	Malathion, technical	IS : 1832-1961 Specification for malathion, technical.	One Kg.	2 Paise	1 Oct. 1965.
2.	Chlordane dusting powders,	IS: 2864-1964 Specification for chlordane dusting powders.	One Tonne	Rs. 5.00	16 Sep. 1965.


[No. MD 18:2]

**S.O. 3027.**—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, as amended in 1962, the Indian Standards Institution hereby notifies, that the Standard Mark(s), design(s), of which together with the verbal description of the designs and the titles of the relevant Indian Standard(s) are given in the Schedule hereto annexed have been specified.

These Standard Mark(s), for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952, as amended in 1961, and the rules and regulations framed thereunder, shall come into force with effect from the dates shown against each.

THE SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Products to which applicable	No. and Title of Relevant Indian Standard	Verbal description of the design of the Standard Mark	Date of effect
1	2	3	4	5	6
1.		Malathion, technical.	IS: 1832-1961 Specification for malathion, technical.	The monogram of the Indian Standards Institution consisting of letters ISI, drawn in the exact style and relative proportions as indicated in column (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	1 Oct. 1965.

1	2	3	4	5	6
2	<p>IS:2864</p> 	Chlordane-dusting powders	IS: 2864-1964 Specification for chlordane dusting powders	The monogram of 16 Sep 1965 the Indian Standards Institution consisting of letters ISI, drawn in the exact style and relative proportions as indicated in column (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.	

[No. MD/17:2]

### ERRATA

New Delhi, the 13th September 1965

**S.O. 3028.**—In the Ministry of Industry and Supply (Indian Standards Institution) Notifications published in the Gazette of India, Part II, Section 3(ii), the following corrections may be made:

1. Gazette dated 26th June 1965

(a) S.O. 2042 dated 10 June, 1965, Schedule—

(1) S. No. 1, col. 4, line 3—for 'timbes' read 'timbers'

(2) S. No. 6, col. 4, line 8—for 'radio' read 'audio'

(b) S.O. 2043 dated 10th June 1965, Schedule—

(1) S. No. 23, col. 5, lines 2, 4, 8 and 10—for 'F' read 'J'

(2) S. No. 26, col. 3, lines 1 and 2—for '3' Jun' read '30 June'

(3) S. No. 27, col. 5, line 2—for '50 Cr IV 23 for 50 Cr IV 32' read '50 Cr IV 23 for 50 Cr IV 32'

(4) S. No. 32, col. 2, line 1—for 'Code for' read 'Code of'

2. Gazette dated 3 July 1965

(a) S.O. 2133 dated 18 June, 1965, Schedule—

(1) S. No. 4—Insert the words "Immediate effect" under col. 6

(2) S. No. 17, col. 5, line 1—for '04' read '0.4'

(3) S. No. 30, Col. 5, line 2—for 'I-I/8 for I/I-2' read '1½ for 1½'

(4) Page 2318, last line,—for '14169' read '14/69'

(b) S.O. 2134 dated 18 June 1965, Schedule—

S. No. 30, col. 4, line 3 for 'tes' read 'test'

3. Gazette dated 17 July 1965

(a) S.O. 2032 dated 8 July 1965 line 1—for 'cab' read 'cable'

(b) S.O. 2033 dated 9 July 1965—

(1) Line 2—for '1965' read '1955'

(2) Line 5—for 'Oune' read 'June'

(3) Schedule—

(i) S. No. 1, col. 3, line 1—for 'IS:367-1965' read 'IS:367-1955'

(ii) S. No. 4, col. 2, line 3—for 'leading' read 'loading'

(iii) S. No. 16, col. 2, line 1—for 'IS:2839-1964' read 'IS:2939-1964'

4. Gazette dated 31 July 1965—

S.O. 2406 dated 14 July 1965, line 2—for 'S.O. 3487' read 'S.O. 4387'

5. Gazette dated 7 August 1965

(a) S.O. 2489 dated 28 July 1965, line 1—for 'zy' read 'by'

(b) S.O. 2491 dated 30 July 1965, Schedule, S. No. 160, col. 3, line 1—Insert the word 'and' between the words 'Curried canned'.

[No. MD/13:2.]

S. K. SEN, Dy. Director (Marks)